FIQH us-SUNNAH

Hajj and 'Umrah

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فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ
فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا
فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا.

But no, by your Lord!
They do not really believe
unless they make you
(O Prophet) a judge
of all on which they disagree
among themselves,
and then find in their hearts
no bar to an acceptance
of your decision
and give themselves up to it
in utter self-surrender (an-Nisa' 4:65).

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Chapter One

PILGRIMAGE: A GENERAL DEFINITION, ITS EXCELLENCE AND PREREQUISITES

Allah, the Exalted One, says: "The first House (of worship) appointed for men was that at Bakka;[1] full of blessings and guidance for all kinds of beings: in it are signs manifest (for example), the station of Abraham — whoever enters it attains security; pilgrimage thereto is a duty men owe to Allah — those who can afford the journey; but if any deny faith, Allah stands not in need of any of His creatures" (Qur'an 3:96-97).

Definition of Hajj

The majority of the scholars hold that Hajj was prescribed in the sixth year after Hijrah[2] for it was then that the following verse concerning it was revealed: "And complete the Hajj and 'Umrah in the service of Allah" (Qur'an 2:194). This conclusion is based on the understanding that the "completion" in the above verse in fact refers to the time when it was first made obligatory. This view is also supported by 'Alqamah, Masrouq, and Ibrahim An-Nakh'i, who substitute "And establish" for "And complete" in the above verse, as reported by At-Tabarani on sound authority. Ibn-al-Qayyim, however, is inclined to the view that Hajj was made obligatory in the ninth or the tenth year of Hijrah.

Excellence of Hajj

The Divine Law Giver exhorted Muslims to perform Hajj. In this regard we may refer to the following:

Hajj - One of the Best Deeds: Abu Hurairah reported that the Prophet (peace be upon him) was once asked: "What is the best deed?" He replied:

[1] Bakka is one of the names of Makkah.

[2] Migration of the Prophet (peace be upon him) from Makkah to Madinah.

"To have faith in Allah and His Messenger." The enquirer asked: "What next?" The Prophet (peace be upon him) said: "To strive in the cause of Allah." "What is the next best thing?" He replied: "Hajj *Mabrur* (a faultless Hajj that is free of sin and is graced with Divine acceptance and pleasure)."

Al-Hasan said: "It means that a person after performance of Hajj should desire and be inclined to the life of the Hereafter rather than the material pleasures of this world." Another report transmitted on sound authority from the Prophet (peace be upon him) says that a righteous performance of Hajj is crowned by feeding the needy and speaking kind words to men.

Hajj: A Form of Jihad

Al-Hasan ibn Ali says that a man came to the Prophet (peace be upon him) and said: "I am a coward and a weak person. Is there anything I can do?" The Prophet (peace be upon him) said: "You may go for a jihad (striving) that involves no fighting, that is, Hajj." This is reported by Abdur Razzaq and At-Tabarani, and all its narrators are trustworthy.

Abu Hurairah narrates that the Prophet (peace be upon him) said: "Hajj is the jihad for the old, the weak and the women."[3]

'Aishah reports that she once said: "O Prophet of Allah! Jihad (striving or fighting in the cause of Allah) is the best deed. Should we (women) then, not actively participate in it?" The Prophet (peace be upon him) replied: "The best jihad for you is Hajj *Mabrur*."[4]

In another report 'Aishah says: "I once asked the Prophet (peace be upon him): 'O Prophet of Allah! Should not we (women) strive and actively participate in the Islamic war with you?' The Prophet (peace be upon him) replied: 'The best and the most beautiful striving for you in the cause of Allah is Hajj *Mabrur*.'"[5] 'Aishah commented: "After hearing this from the Prophet (peace be upon him) I shall never cease performing Hajj."

Hajj Wipes Off Past Sins

Abu Hurairah reported that the Prophet (peace be upon him) said: "He who performs Hajj for Allah's pleasure and avoids all lewdness and sins will return after Hajj free from all sins as he was the day his mother gave birth to him."[6]

'Amr ibn al-'As says: "When Allah guided me to Islam, I went to the Prophet (peace be upon him) and said to him: 'O Prophet of Allah! Stretch out your hand so that I may pledge my allegiance to you.' The Prophet (peace be upon him) stretched out his hand to me, but I withdrew my hand. The Prophet

[3] This is reported by Nasa'i with a reliable chain of narrators.
[4] Bukhari and Muslim.
[5] Bukhari and Muslim.
[6] Bukhari and Muslim.

(peace be upon him) asked: 'O 'Amr! what is the matter with you?' I said: 'I would like to stipulate a condition!' The Prophet (peace be upon him) asked: 'What is it?' I said: 'That all my past sins be forgiven!' The Prophet (peace be upon him) said: 'O 'Amr! Do you not know that Islam wipes off all past sins, and hijrah (leaving one's home and hearth for Allah's cause) wipes off all sins, and (similarly) Hajj wipes off all past sins!'"[7]

Abdullah ibn Mas'ud narrated that the Prophet (peace be upon him) said: "Alternate between Hajj and 'Umrah (regularly), for these two remove poverty and sins just as the blacksmith's bellows removes all impurities from metals like iron, gold and silver. The reward for Hajj *Mabrur* is nothing short of Paradise."[8]

Pilgrims are Allah's Guests

Abu Hurairah reported that the Prophet (peace be upon him) said: "Pilgrims and those performing 'Umrah are Allah's guests; their prayers are answered and their supplications for forgiveness are granted. This is reported by Nasa'i, Ibn Majah, Ibn Khuzaimah and Ibn Hibban in their collections of *Sahih* hadith. In the last two we read: "And Allah's guests are three: A pilgrim performing Hajj, one performing 'Umrah, and a person who fights in the cause of Allah."

The Reward of Hajj is Paradise

Abu Hurairah says the Prophet (peace be upon him) said: "All sins committed in between the performance of one 'Umrah and another are expiated and erased, and the reward of Hajj *Mabrur* is nothing save Paradise."[9]

In another sound hadith Ibn Joraij relates from Jabir that the Prophet (peace be upon him) said: "This House of Allah (the Ka'bah) is the pillar of Islam, so whosoever heads to it with the intention of performing Hajj or 'Umrah is under Allah's security. If he should die (during his trip) he is granted Paradise, and if he returns home safely, he returns with reward and gain."

The Excellence of Spending in Hajj

Buraidah reports the Prophet (peace be upon him) as saying: "Spending during Hajj is akin to spending in the cause of Allah, and every dirham thus spent will be rewarded seven hundred times over."[10]

Hajj is Obligatory Only Once in Life

There is consensus among Muslim scholars that Hajj is obligatory only once during the lifetime of a Muslim, unless someone vows to perform extra

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[7] Muslim.

[8] Nasa'i and Tirmidhi, who regards it a sound hadith.

[9] Bukhari and Muslim.

[10] Reported by Ibn Abi Shaibah, Ahmad, At-Tabarani and Al-Baihaqi.

Hajj, in which case he must fulfil his vow. Whatever is done over and above is supererogatory or optional.

Abu Hurairah narrates that once, in a sermon, the Prophet (peace be upon him) said: "O people! Allah has prescribed Hajj for you, so you must perform it." A man asked: "Every year, O Prophet of Allah?" The Prophet (peace be upon him) remained silent. When the man repeated it thrice, the Prophet (peace be upon him) said: "Had I said 'yes', it would have become a yearly obligation, and this would have been beyond your power." Then he added: "Leave me alone so long as I leave you alone (i.e., do not pester me with questions about things which I omit and do not mention). Some people who lived before you were destroyed because they asked too many questions and disagreed with their Prophets. So when I command you to do something, you must obey and do it to the best of your power, and if I forbid you from something, then avoid it."[11]

Ibn 'Abbas narrates that once the Prophet (peace be upon him) addressed us and said: "O People! Hajj has been prescribed for you." At this Al-Aqra' bin Habis stood up and asked: "O Prophet of Allah! Are we to perform Hajj every year?" The Prophet (peace be upon him) said: "Had I said 'yes', it would have become a (yearly) obligation, and had it become a (yearly) obligatory duty you would have failed to keep it. Hajj is obligatory only once in one's lifetime. Whatever one does over and above this is supererogatory (a voluntary act) for him.[12]

Can the Performance of Hajj Be Deferred to a More Convenient Time or Must It Be Performed Immediately after One is Able to Do So?

Ash-Shafi'i, Ath-Thawri, Al-Awza'i and Mohammad bin al-Hasan are of the opinion that Hajj may be performed at any time during one's life, and there is nothing wrong if someone, for whom it is obligatory, delays it until a later date in his (or her) life, for, although Hajj was prescribed in the 6th year of Hijrah, the Prophet (peace be upon him) delayed it until the 10th year of Hijrah when he performed it along with his wives and many of his companions. Had performing it earlier been essential the Prophet (peace be upon him) would have never delayed it.

Ash-Shafi'i says: "We, therefore, are convinced that Hajj is obligatory upon a Muslim, male or female, from the age of puberty until before his death."

Abu Hanifah, Malik, Ahmad, some of Ash-Shafi'i's followers and Abu Yusuf are of the opinion that Hajj must be performed as soon as one is (physically and financially) in a position to do so. This opinion is based on a hadith that is related by Ibn 'Abbas that the Prophet (peace be upon him) said: "He who intends to perform Hajj let him do so expeditiously, for he may

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[11] Bukhari and Muslim.

[12] Reported by Ahmad, Abu Daw'ud, Nasa'i and Al-Hakim, who regards it a sound hadith.

well fall sick, may lose his mount (ability to bear expenses of the journey) or he may be prevented by some other exigency."[13] In another report by Ahmad and Al-Baihaqi, we read that the Prophet (peace be upon him) said: "Hasten to perform Hajj — the basic obligation — for you don't know what might happen to you," meaning "one may fall sick or be prevented by some other exigency." The earlier scholars interpreted these ahadith saying it was commendable for a person to perform Hajj as soon as possible provided he had the ability to do so.

Prerequisites for Hajj

There is a consensus among jurists concerning the prerequisites that must be found in a person for Hajj to be incumbent on him:

1. He must be a Muslim;
2. He must be an adult;
3. He must be of a sound state of mind;
4. He must be free;
5. He must have the necessary power and ability.

Anyone lacking any of these conditions is not obligated to perform Hajj. All these conditions, that is, being a Muslim, being of adult age and of sound mind, being free, and possessing the power to discharge a duty are equally valid with respect to all other forms of worship in Islam. This is based on a hadith of the Prophet (peace be upon him) which says: "Three persons are not to be held accountable: a sleeping person until he awakes, a minor until he comes of age, and a mentally disturbed person until he regains his reason."

Freedom is an essential prerequisite for Hajj, for this worship needs time as well as financial ability. A slave lacks both, for all his time is spent in the service of his master, and financially he lacks the ability to undertake this obligation. The Qur'an says: "Pilgrimage thereto is a duty men owe to Allah — those who can afford the journey" (3:97).

[13] Reported by Ahmad, Al-Baihaqi, At-Tahawi and Ibn Majah.

Chapter Two

THE ABILITY TO PERFORM HAJJ — WHAT DOES IT IMPLY?

The ability to perform Hajj, which is one of its essential conditions, includes the following:

1) A person must be healthy and physically fit. If one is disabled by old age or a disease that is incurable or is unable to perform Hajj for some other similar reason, he may, if he is financially capable, assign someone else to perform Hajj on his behalf and at his expense. This will be discussed later under "Hajj On Behalf of Another Person."

2) The journey to Hajj must be safe so that the pilgrim's life and possessions are safe and secure from any danger. If one is afraid for one's life from highwaymen or an epidemic or if one is afraid to be robbed of one's possessions, then such a one is deemed as one of those who cannot afford the journey for Hajj.

There is, however, a difference of opinion among scholars regarding the entry fees and other charges levied on pilgrims. Can a person be excused and reckoned as unable financially to perform Hajj because of these charges? Ash-Shafi'i and others are of the view that the presence of these levies does qualify a person to be classified as unable to perform Hajj, even though the levy involved may be paltry. The Maliki scholars disagree for they do not regard this as a sufficient reason for a person to be deemed as unable to perform Hajj, unless the amount involved is too exorbitant or is demanded repeatedly.

3) One must possess the necessary provision and also the requisite means of journey. Necessary provision here means that the intending pilgrim must have sufficient supplies for himself as well as for his family that he leaves behind. These supplies include sufficient and adequate clothing, housing, means of traveling, and tools for the pursuit of his trade or profession besides the financial means for the journey.[1] Means of traveling imply that which enables him to go to Hajj and come back, whether it is by land, by sea, or by air. This concerns those who live far from Makkah and cannot walk there.

[1] The person intending to perform Hajj should not sell his clothes, his personal belongings, or his house — even if they were abundant — to get money for Hajj.

As for those who live in the vicinity of Makkah, this condition does not apply, for they are so close that they can go for Hajj on foot.

Some ahadith explain the Qur'anic words "those who can afford the journey,"[2] as meaning provision of food and means of journey. Anas reports that the Prophet (peace be upon him) when once asked about the meaning of "those who can afford" said: "It means possessing means of sustenance and transportation."[3] Al-Hafiz remarks: "Most probably its chain of transmitters is not traceable to the Prophet (peace be upon him). Tirmidhi as well has reported it on the authority of Ibn 'Umar but its chain of transmitters is weak. Abdul Haqq remarked: "All its chains of transmitters are weak." Ibn Al-Mundhir says: "It is not traceable to the Prophet (peace be upon him) and the correct position is that it is a sound but incompletely transmitted hadith whose chain of authorities does not go back to the Prophet (peace be upon him)."

Ali (may Allah be pleased with him) narrates that the Prophet (peace be upon him) once said: "He who possesses sufficient provisions and means of journey for the performance of Hajj and yet does not do so, let him die the death of a Jew or a Christian." For Allah says in the Qur'an: "Pilgrimage thereto is a duty men owe to Allah — those who can afford the journey."[4]

All these ahadith are weak in authority, yet most scholars regard provisions and means of journey as a necessary condition for Hajj. If a person has neither the necessary provisions nor means of travel, he is not obligated to perform Hajj.

Ibn Taimiyyah says: "These ahadith are *musnad*[5] and have a sound chain of authorities, some are *mursal*[6] and others are *mauquf*.[7] They all prove that the ability to arrange one's provisions and possession of means of journey is a necessary prerequisite for Hajj, and this despite the fact that the Prophet (peace be upon him) knew that many of the people (in his time) were able to go for Hajj on foot.

Similarly the words of Allah: "Pilgrimage thereto is a duty men owe to Allah — those who can afford the journey" underline the fact that ability and power are the necessary prerequisite for all forms of worship. It signifies the unspecified power or a little bit more than what may be necessary. In the case of *sawm* (fasting) and *salah* (obligatory prayers) the financial ability is superfluous and is not specified in the Qur'an, unlike Hajj for which it is an important requirement. Similarly, Hajj is a form of worship which involves traveling for which one must be in possession of sufficient means to support

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[2] Qur'an 3:97.

[3] Ad-Daraqutni considers this hadith sound.

[4] Transmitted by Tirmidhi, but among the narrators of this hadith are included "Halal" ibn Abdullah, who is unknown, and "Al-Harith" whom Ash-Sha'abi and others have described as a liar.

[5] A report which is traceable in uninterrupted ascending order of the narrators to its first authority.

[6] A hadith transmitted by a successor (a *tabi'*), young or old, without mentioning the Companion who might have heard it from the Prophet directly. Ash-Shafi'i considers such a hadith weak, while Abu Hanifah and Malik consider it sound.

[7] A hadith reported from a Companion through words or acts uninterruptedly or otherwise.

oneself (and one's family), as well as be able to shoulder the cost of the journey as in *jihad*.

In this regard we may refer to the Qur'anic verse (9:91-92) "Nor is there any blame on those who find no resources to spend, nor is there (blame) on those who come to you to be provided with mounts, and when you said, 'I can find no mounts for you,.'"

In *Al-Muhadhib* we read: "If someone has the money to buy provisions and the passage to Hajj but he needs it to pay his debts, Hajj is not binding on him, whether the settlement of the debt is required immediately or is due after a time. The debts that are due for immediate settlement must be paid at once, whereas the Hajj may be performed later on in life. But if he spends all that he has on Hajj he may not be in a position to pay off his debt."

Similarly, if one is in need of a dwelling or a servant to help him, he may be classified as unable to perform Hajj. Likewise, if one needs to take a wife because he fears he may not be able to avoid evil, he must get married, for it is his immediate need. Furthermore, if one needs goods for his business to obtain requisite resources therefrom, such a one, according to Abul 'Abbas, Ibn Sarih, may be classified as unable to perform Hajj in view of his specific need. *Al-Mughni* says: "If the debt is owed to a wealthy person who does not demand immediate settlement of the loan, defers settlement to a later stage, and is ready to permit the debtor to proceed for Hajj, then such a debtor is (technically) able to perform Hajj. But in case the lender cannot afford to defer settlement of the loan, the debtor would be reckoned as unable to perform Hajj."

According to the Shafi'i school: "If someone offers another a free passage for Hajj, one is not obliged to accept the offer, for it is a favor and involves distress of being obliged to another person. If, however, such an offer is made by one's son to perform Hajj, then one is obligated to do so, for one can perform it without being beholden to anyone else."

The Hanbali school is of the view that an offer of financial help by someone else does not obligate a person to perform Hajj, nor does this classify him as (financially) capable of performing it, whether the offer comes from a stranger or a relative and whether the offer provides means of travel and provision, or finanacial help as such.

5) There must also be no obstruction which may prevent people from undertaking the journey for Hajj, like fear of torture or imprisonment by a tyrannical ruler.

Hajj of a Minor and a Slave

Though Hajj is not compulsory for these two groups it is quite valid if they perform one, but it will not suffice them as regards the Hajj prescribed in Islam.

Ibn 'Abbas reports: "The Prophet (peace be upon him) said: 'Any minor (child) who performs Hajj must perform it again after coming of age; any

slave who performs Hajj and is then freed, must perform his Hajj again'."[8]

As-Sa'ib bin Yazid says: "My father performed Hajj with the Prophet (peace be upon him) who was performing his Farewell Hajj, while I was only seven years old." This was reported by Ahmad, Bukhari and Tirmidhi, who noted: "All scholars agree that if a minor performs Hajj, he must repeat his Hajj upon coming of age. Likewise a slave who performs Hajj, and thereafter gains his freedom, must also repeat his Hajj if he is in a position to do so."

It is also reported from Ibn 'Abbas that during a Hajj a woman lifted a boy, and asked the Prophet, "Will this boy be rewarded for Hajj?" The Prophet (peace be upon him) answered: "Yes, and you too will be rewarded."[9]

Jabir reports: "We performed Hajj with the Prophet (peace be upon him) and a number of women and children were with us. We said *talbiyah* on behalf of the children, and (also) threw pebbles on their behalf. This is narrated by Ahmad and Ibn Majah.

If a minor is able he may himself declare the state of *ihram* and perform the rites of *Hajj*. Otherwise, his guardian[10] must declare the state of *ihram* and say *talbiyah* on his behalf, circumambulate round Ka'bah, run between Safa and Marwah, stay at 'Arafah and throw stones on his behalf. If, on the other hand, a minor attains the age of puberty on or before the Day of 'Arafah, his Hajj is then credited to him. The same applies to a slave who is liberated on or before the Day of 'Arafah. Malik and Ibn Al-Mundhir say: "To both of these people their Hajj cannot be credited as (replacement for) the obligatory Hajj, for they intended a supererogatory worship while putting on *ihram*; its supererogatory status cannot be transformed into an obligatory worship."

Hajj of a Woman

Hajj is obligatory both for women and men alike; they must perform it whenever they meet the above mentioned prerequisites for it. In the case of a woman it is essential that she be accompanied by her husband or some other *mahram*[11] relative on the journey for Hajj.

Ibn 'Abbas reports: "I heard the Prophet (peace be upon him) saying: 'A man must never be alone with a woman unless there is a *mahram* with her. A woman also may not travel with anyone except a *mahram* relative.' A man stood up and asked: 'O Prophet of Allah! My wife has gone for Hajj while

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[8] Reported by At-Tabarani on sound authority.

[9] The boy will be rewarded for his obedience, while the mother will be rewarded for helping and instructing him to perform Hajj. This hadith is also reported from 'Umar.

[10] An-Nawawi said: "The guardian who declares the state of *ihram* on behalf of a non-discerning minor, is the guardian of his properties, i.e., his father, grandfather, or the guardian appointed by law. Concerning the mother, the scholars differ. Some are of the opinion that her *ihram* on his behalf is only valid if she is appointed by law as his guardian. Others claim that her *ihram* is valid even if she is not the guardian.

[11] Al-Hafiz said in his *Al-Fath*: "According to the scholars, the condition for being a *mahram* to a woman is that legally it should be impossible for such a man to ever marry her.

I am enlisted for such and such a battle, what should I do?" The Prophet (peace be upon him) replied, 'Go and join your wife in Hajj.'"[12]

Yahya bin 'Abbad reported that a woman from Iraq wrote to Ibrahim An-Nakh'i: "I have not yet performed the prescribed Hajj; for although I am rich, I have no *mahram* who may accompany me on this trip." He wrote her back: "You are one of those whom Allah has not given the means to perform (Hajj)." Abu Hanifah, Al-Hassan, At-Thauri, Ahmad and Ishaq all hold a similar view on this issue.

Al-Hafiz says: "Among the Shafi'ite scholars the most commonly accepted opinion in this regard is that a woman may travel with her husband, or one of her *mahram* relatives, or a group of trustworthy women, or even one such (trusted) woman companion. According to one view, reported by Al-Karabisi and recorded as sound in *Al-Muhadhib*, a woman may travel by herself provided the way to Hajj is secure and safe. This applies to both Hajj and 'Umrah.

It is reported in *Subul as-Salaam*: "A group of scholars hold that an old woman may travel without being accompanied by any *mahram* relative."

This permission for a woman to travel without a *mahram* in the company of trusted companions or when the journey to Hajj is safe is supported by what is reported by Bukhari from 'Adi ibn Hatem, who says: "I was with the Prophet (peace be upon him) when a man came to him and complained of poverty. Another man complained about highway robbery. Thereupon the Prophet (peace be upon him) said: 'O 'Adi! Have you seen the city of Hira in Iraq?' I said: 'No, but I have heard about it.' The Prophet (peace be upon him) said: 'If you lived long enough you will see that a woman will travel from Hira and will perform *Tawaf* round Ka'bah, and she will have no fear except that of Allah."

This opinion is supported by the fact that 'Umar gave permission to the wives of the Prophet (peace be upon him) to perform Hajj while accompanied by 'Uthman and Abdur-Rahman ibn 'Awf. 'Uthman would announce them to people telling them to avoid looking at them or coming close to their camels.

If, however, a woman fails to abide by this provision and performs Hajj alone — without being accompanied by any *mahram* — her Hajj would still be valid.

The author of *Subul as-Salaam* says that Ibn Taimiyyah said: "Hajj of a woman without a *mahram* is valid, and likewise of a person who is financially not able to perform it."

In brief, those for whom Hajj is not compulsory due to sickness, poverty, fear of highway robbery, or in the case of a woman because no *mahram* is available to accompay her, if these people nonetheless perform Hajj, it will be credited to their account. Some of them try their best (and exert themselves to the utmost) like those performing Hajj on foot, while others are guilty of

[12] Reported by Bukhari and Muslim; the words given here are of Muslim's. This order underlines something desirable; it does not obligate the husband or the *mahram* to travel with the woman, if there is no one else but him. No one is obligated to give up his convenience so that another person might do what is not required of him.

sins, such as those who beg others to help them perform Hajj, or a woman that performs Hajj without a *mahram* male companion. Notwithstanding their valid excuse, if any of these people perform Hajj, it will be quite valid, for their sin relates to their (choice of unlawful) means and has no bearing on the objective as such.

It is reported in *Al-Mughni*: "If a person, not obliged to perform Hajj because he is unable (financially) to do so, should seek to perform Hajj, suffering hardship, traveling on foot and without necessary provisions, his Hajj will be quite valid and acceptable."

A Woman Should Seek Her Husband's Permission for Hajj

It is desirable for a woman to seek her husband's permission for the prescribed Hajj. Then if he grants her the permission she may leave for Hajj; in case he refuses to give permission, she may still proceed for Hajj, for a husband should not forbid his wife from performing obligatory Hajj. It is an obligatory act of worship. It is unlawful to obey anyone in something that involves disobedience to Allah. A woman should perform obligatory Hajj as soon as possible, just as she should offer her prescribed daily prayers at their earliest prescribed times. In either case a husband has no right to prevent his wife from doing what is her obligatory duty. The same applies when a wife has vowed a Hajj, because it is obligatory like the prescribed Hajj. In the case of supererogatory Hajj, however, the husband may prevent his wife, and the wife must obey her husband. This is supported by a hadith reported by Ad-Daraqutni on the authority of Ibn 'Umar who narrated that while speaking about a wealthy lady whose husband had refused to give her permission to perform Hajj, the Prophet (peace be upon him) said: "She must not go for Hajj except by her husband's permission."

He Who Dies Without Performing Obligatory Hajj

If a person dies before performing obligatory Hajj or if one vowed to perform Hajj but died before fulfilling one's vow, his heir must assign someone to perform Hajj on behalf of the deceased. All the ensuing expenses in this regard must be paid out of the deceased's property, as indeed must be any debts left by him.

Ibn 'Abbas narrates that a woman from the tribe of Johainah came to the Prophet (peace be upon him) and said: "My mother had vowed to perform Hajj but she died before fulfilling her vow, should I perform Hajj on her behalf? The Prophet (peace be upon him) said: "Yes, perform Hajj on her behalf. Would you not pay off any debts your mother might have left behind upon her death? Pay off what you owe to Allah, for He is most deserving of settlement of His debt."[13]

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[13] Bukhari.

This hadith underlines the obligation of performing Hajj on behalf of a deceased person, whether or not he leaves a will to this effect (it is a kind of debt for the deceased), and all debts left by the deceased must be settled, just as all other financial obligations such as *zakah*, an atonement or a vow transacted by the deceased has to be fulfilled.

Ibn 'Abbas, Zaid bin Thabit, Abu Hurairah, and Ash-Shafi'i hold this opinion. They consider that the expenses of the substitute (the hired person) must be paid out of the wealth of the deceased before dividing it up among his heirs.

In case the wealth is insufficient to cover both the cost of Hajj (by the substitute) and settlement of the deceased's debts, the expense of Hajj must be paid first, as the Prophet (peace be upon him) said: "Allah is most deserving that His debt be paid back."

Imam Malik says: "A person may perform Hajj on behalf of the deceased only if the deceased leaves a will to that effect. If the deceased leaves no such will, then a Hajj on his behalf may not be performed, for this worship involves, more than anything else, physical exertion and struggle and as such, no other person can replace or substitute another person. If a deceased makes a will regarding it, then Hajj may be performed, meeting all its cost from out of one third of the share of his heritage."

Hajj On Behalf of Others

If someone has the ability to perform Hajj but afterwards he is unable to perform it due to sickness or old age, he must arrange for someone else to perform Hajj on his behalf, for he may never be able to do it himself. In this respect, such a person is very much like the deceased, hence the permission for him to choose his substitute in Hajj.

This is based on a hadith reported by Al-Fadl ibn 'Abbas, who says: "A woman of Khath'am said, 'O Prophet of Allah! Allah has prescribed Hajj for His servants. (Now that) I am grown up, I find that my father is an old man, and he cannot ride on the camel (for long). Should I perform Hajj on his behalf?' The Prophet (peace be upon him) said: 'Yes.'" This happened during the Farewell Hajj.[14] Tirmidhi considers it a sound hadith with a sound chain and adds: "On this topic, reports other than this hadith are also found; they are of sound authority, and the companions of the Prophet (peace be upon him) believed and practiced accordingly; they held that one may perform Hajj on behalf of a deceased person." At-Thawri, Ibn al-Mubarak, Ash-Shafi'i, Ahmad and Ishaq also hold a similar view.

Imam Malik says: "If the deceased leaves a will that someone perform a Hajj on his behalf, then it may be performed." Some scholars like Ibn Mubarak and Ash-Shafi'i say that it is permissible for an old man. who is unable to perform Hajj on his own, to arrange for a substitute to do it on his behalf.

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[14] Reported by the Group.

The above hadith also lends support to the view that, both for a man or a woman, it is quite permissible to perform Hajj on behalf of another man or woman. There is nothing against this in the Qur'an or hádith.

Position of a Sick Person Who Recovers

If a sick person recovers after someone has performed Hajj on his behalf, he will be considered as having performed his obligatory duty, and he will not be required to repeat it, for it would imply the obligation of performing two obligatory pilgrimages (rather than one). This is Imam Ahmad's view.

The majority of scholars are, however, of the view that such a substitutory Hajj will not suffice a man to absolve him of his obligation, for his recovery shows that his case was not really hopeless (and he should therefore repeat it), for the decisive factor in this respect is cessation of illness and restoration of his health.

Ibn Hazm is inclined to the first view. He says: "When the Prophet (peace be upon him) commanded to perform Hajj on behalf of those who are unable to walk or ride (i.e., cannot travel for Hajj), and told that this will pay off their debt to Allah, then indeed the debt is settled, and their effort accepted." And surely if an obligation is removed or fulfilled, there is no justification for its repetition, especially when there is nothing in the texts to support it. Had such a repetition been necessary, the Prophet (peace be upon him) must have clearly mentioned it, but as he did not, there is no reason for its repetition.

Conditions for Performing Hajj on Behalf of Others

Before performing Hajj on behalf of someone else, a person must have performed his own Hajj. This is based on the hadith in which Ibn 'Abbas narrates that the Prophet (peace be upon him) heard a man saying: "O Allah! Here I am in response to Your call on behalf of Shabrumah." The Prophet (peace be upon him) asked him: "Have you performed your own Hajj?" He replied: "No", whereupon the Prophet (peace be upon him) told him: "You must perform Hajj on your own behalf first, and then for Shabrumah." [15] Al-Baihaqi says: "Its chain of authorities is sound, and in this regard it is the most genuine report."

Most of the scholars hold that it is not proper for a person to perform Hajj on behalf of others prior to performing it on his own behalf, whether or not he is able or unable to do so.

Hajj in Fulfillment of a Vow While Having to Perform Obligatory Hajj

According to the verdict of Ibn 'Abbas and 'Ikrimah if a person performs Hajj in fulfillment of a vow, while he has yet to perform the prescribed Hajj,

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[15] Abu Daw'ud and Ibn Majah.

then it should suffice him (and absolve him) from both. 'Ata and Ibn 'Umar, on the other hand, hold that one must first perform the Hajj obligatory on him, and thereafter perform another Hajj to fulfil his vow.

No *Sarorah* in Islam

Ibn 'Abbas reports: "The Prophet (peace be upon him) said: 'There is no *Sarorah* (delaying performance of obligatory Hajj) in Islam.'"[16]

Al-Khattabi remarks: "The word *sarorah* has two meanings: a) a person who does not marry and leads a life of celibacy, like monastic Christians; or b) someone who has not performed Hajj. In other words this means that no one able to perform Hajj should fail to do so, because in Islam there is no delaying of obligatory Hajj.

Some scholars refer to it as a proof that a person who has not performed Hajj is not allowed to perform Hajj on behalf of others. Al-Awza'i, Ash-Shafi'i, Ahmad and Ishaq hold this view. Malik and Ath-Thawri say: "Such a person's Hajj depends on his own intention." Al-Hasan Al-Basri, 'Ata and An-Nakh'i also hold a similar view.

Getting a Loan for Hajj

Abdullah ibn Abi 'Awfa relates: "I asked the Prophet (peace be upon him) about a man who has not performed Hajj, 'Should he not get a loan to perform Hajj?' The Prophet (peace be upon him) replied: 'No'" (Al-Baihaqi).

Performing Hajj with Unlawfully Gained Money

Someone performing Hajj with unlawfully gained money, may technically fulfil his prescribed duty of pilgrimage, but according to the majority of the scholars, he will be guilty of sin for doing so. Imam Ahmad disagrees and holds that such a Hajj is not enough for a person to absolve him of his prescribed obligation, and this is more correct as the *sahih* hadith says: "Surely, Allah is Pure, and He does not accept anything but what is pure (and clean)." Also it is reported by Abu Hurairah that the Prophet (peace be upon him) said: "As soon as a pilgrim sets out for Hajj with a provision which is lawful, and puts his foot in the stirrup (rides his mount) and calls out: 'O, Allah! Here I am in response to Your call,' an announcer answers him from the heavens above, saying: 'Your call has been heard; you are a happy one; your provisions are lawful, your mount is lawful and your pilgrimage is free of sin and acceptable.' But, if his provisions are unlawfully gained, and he puts his foot in the stirrup and calls out: 'O Allah! Here I am in response to Your call,' an announcer from the heavens above answers him back, saying: 'Your call is not accepted; nor are you welcome; your food is unlawful; your provisions are unlawful;

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[16] Ahmad and Abu Daw'ud.

and your pilgrimage is not free of sin and is unacceptable.'" Al-Mundhri says: "This is reported by At-Tabarani in *Al-Awsat*, and also by Al-Asbahani in a *mursal* hadith from Aslam, the freed slave of 'Umar bin al-Khattab."

What is Better in Hajj: Riding or Walking?

Al-Hafiz writes in *Al-Fath*: "Ibn al-Mundhir says there is a difference of opinion as to what is better for a pilgrim, walking or riding during the Hajj.

The majority of scholars hold riding is better, for the Prophet (peace be upon him) did so, and because it is more helpful (in concentrating) on praying and making supplications to Allah, apart from other benefits.

Ishaq bin Rahoweh says: "Walking is preferable for it involves more exertion and hardship (in the cause of Allah)." We may say that whether a person walks or rides during Hajj depends on each person and his particular circumstance.

Bukhari has transmitted from Anas (may Allah be pleased with him) that the Prophet (peace be upon him) saw a man leaning on both sides on his two sons, whereupon he asked: "What is the matter with this man?" The people said: "He has vowed to walk during Hajj." The Prophet (peace be upon him) said: "Allah is in no need whatever of torturing this man." Then he commanded the man to perform his Hajj riding."

Doing Business and Leasing Rides During Hajj

There is no harm if a pilgrim engages in trade and business during Hajj or 'Umrah.

Ibn 'Abbas said: "In the beginning when Hajj was prescribed, the people used to trade at Mina, 'Arafah, and the market place of Dhul-Majaz[17] during the Hajj season, but they feared it might be forbidden for them while in a state of *ihram*. Thereupon Allah revealed the verse (Qur'an 2:198): "It is no crime in you if you seek of the bounty of your Lord (during pilgrimage)." This is reported by Bukhari, Muslim and Nasa'i.

Commenting on the above verse, Ibn 'Abbas adds: "The people used to shun business while in Mina, so they were instructed to engage in business or trade while pouring down from 'Arafah."[18] Abu Omamah At-Taimi narrates that he said to Ibn 'Umar: "I rent mounts to people during Hajj season, and the people tell me that my Hajj is void." Ibn 'Umar asked him: "Do you not don Hajj garb, say *talbiyah*, go around the House of Allah, pour down from 'Arafah, and stone the Satan?" The man said, "Yes, I do." Ibn 'Umar said: "Then your Hajj is quite valid (and you will be rewarded for it). A person came to the Prophet (peace be upon him) and asked him something similar to what you asked me, whereupon the Prophet (peace be upon him) remained

[17] A place close to 'Arafah.

[18] Abu Daw'ud.

silent until this verse (Qur'an 2:198) was revealed to him: "It is no crime in you if you seek the bounty of your Lord (during Hajj season)." Then the Prophet (peace be upon him) sent for the man and recited the verse to him, saying: "Your Hajj is valid." This is reported by Abu Daw'ud and Sa'id ibn Mansur. Al-Hafiz Al-Mundhri said Abu Omamah is not known (as a narrator).

Ibn 'Abbas says that a man asked him: "I hire myself to these people to guide them in performing their rites of Hajj; will I have a reward for Hajj?" Ibn 'Abbas said: "Yes." (And then he recited) "To these will be allotted what they have earned; and Allah is quick in account."[19] This is transmitted by Al-Baihaqi and Ad-Daraqutni.

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[19] Qur'an 2:202

Chapter Three

THE HAJJ OF THE PROPHET (Peace Be Upon Him)

A Detailed Account

Muslim reports: "Abu Bakr ibn Abi Shaibah and Ishaq bin Ibrahim told us that Hatem bin Isma'il al-Madani reported of Ja'far bin Mohammad and he of his father, saying, 'We visited Jabir bin Abdullah (he was blind) and he began inquiring about the people (who had come to see him) till it was my turn. I said: "I am Mohammad ibn Ali ibn Hussein." He placed his hand on my head and opened my upper button and then the lower one, and then placed his hand on my chest (in order to bless me). I was during those days a young boy, and then he said: "You are welcome, my nephew. Ask whatever you want to ask." I asked him a question but it was time for prayer. He stood up covering himself in his mantle. Whenever he placed its ends upon his shoulders they slipped down because it was short (in size). Another mantle was, however, lying on the clothes rack nearby (and he put it on) and led the prayer. I said to him: "Tell me about the Hajj of the Prophet (peace be upon him)." He held up his nine fingers and said: "The Prophet (peace be upon him) stayed in Madinah for nine years but did not perform Hajj. Then, in the tenth year he made a public announcement to the effect that Allah's Messenger was about to perform the Hajj. A large number of people came to Madinah, and all of them were eager to emulate the Prophet (peace be upon him) and follow his actions.

"We set out with him until we reached Dhul-Hulaifah, where Asma bint 'Umais gave birth to Mohammad ibn Abi Bakr. She sent a message to the Prophet (peace be upon him) asking him: "What should I do?" He said, "Take a bath, bandage your private parts and put on *ihram*.

"The Prophet (peace be upon him) then prayed in the mosque and then mounted al-Qaswa (his she-camel) and it stood erect with him on its back at al-Baida. As far as I could see in front of me, behind me, on my right and on my left, I saw riders and pedestrians. The Messenger of Allah (peace be him) was prominent among us and the (revelation) of the Qur'an was descending

upon him, and it is he who knows (its true) interpretation. Whatever he did, we also did.

He pronounced the Oneness of Allah (saying):

Labbaika Allahumma labbaik, labbaika la sharika laka labbaik, innal hamda wan-ni'mata laka wal mulk, la sharika lak	لبيك اللهم لبيك ، لبيك لا شريك لك لبيك إن الحمد والنعمة لك والملك ، لا شريك لك.

(O Allah! I hasten to You. You have no partner. I hasten to You. All praise and grace is Thine and the Sovereignty too; You have no partner). And the people also pronounced this *talbiyah* which they pronounce today. The Messenger of Allah (peace be upon him) did not disapprove of anything in it, but he adhered to his own *talbiyah.*

Jabir said: "We did not have any other intention but that of Hajj only, being unaware of the 'Umrah, but when we came with him to the House (of Allah), he touched the Black Stone (*Hajar al Aswad*) and made seven circuits, running three of them and walking four. Then going to the Station of Ibrahim, he recited: "And adopt the Station of Ibrahim as a place of prayer."[1] He stood at a place where the Station (of Ibrahim) was between him and the House. There he prayed two rak'ahs reciting Surah Al-Ikhlas, and Surah Al-Kafirun. He then returned to the Black Stone (*Hajar al Aswad*) and kissed it. Then he went out of the gate to Safa, and as he approached it he recited: "Al-Safa and al-Marwah are among the signs appointed by Allah,"[2] (adding:) I begin with what Allah began. He first mounted Safa until he saw the House, and facing Qiblah he declared the Oneness of Allah and glorified Him and said:

La ilaha illa Allah wahdahu la sharika lahu, lahul mulk wa lahul hamd, wa huwa 'ala kulli sha'in qadeer, la ilaha illallahu wahdahu anjaza wa'dahu, wa nasara 'abdahu, wa hazamal ahzaba wahdah	لا إله إلا الله وحده لا شريك له ، له الملك ، وله الحمد ، وهو على كل شيء قدير ، لا إله إلا الله وحده أنجز وعده ، ونصر عبده وهزم الأحزاب وحده.

(There is no God but Allah, One, He has no partner. His is the Sovereignty, to Him praise is due, and He is Powerful over everything. There is no God but Allah alone, Who fulfilled His promise, helped His servant and routed the confederates alone").

He said these words three times making supplications in between. He then descended and walked towards Marwah, and when his feet touched the bottom of the valley, he ran; and when he began to ascend, he walked till he reached

[1] Qur'an 2:125
[2] Qur'an 2:158

Marwah. There he did as he had done at Safa.

"When it was his last round of Marwah he said: 'If I had known beforehand what I have come to know afterwards, I would not have brought sacrificial animals and would have offered it as an 'Umrah. So, he among you who has not the sacrificial animals with him should put off *ihram* and treat it as an 'Umrah. Suraqa ibn Malik ibn Ju'tham got up and said, 'Messenger of Allah, does it apply to the present year, or does it apply forever? Thereupon the Messenger of Allah (peace be upon him) intertwined the fingers (of one hand) into another and said twice: 'The 'Umrah has become incorporated in the Hajj,' (adding): 'No, but forever and ever.'

"Ali came from Yemen with the sacrificial animals for the Prophet (peace be upon him) and found Fatimah (Allah be pleased with her) to be one among those who had put off *ihram*, put on dyed clothes, and had applied *kuhl**. Ali showed disapproval of it, whereupon she said: 'My father has commanded me to do this.' (The narrator) said that Ali used to say in Iraq: 'I went to the Messenger of Allah (peace be upon him) showing annoyance at Fatimah for what she had done, and asked the Prophet (peace be upon him) regarding what she had narrated from him, and told him that he was angry with her, whereupon the Prophet (peace be upon him) said: 'She has told the truth; she has told the truth.'

"(The Prophet then asked Ali): 'What did you say when you put on *ihram*?' I (Ali) said: 'O Allah, I am putting on *ihram* for the same purpose as Your Messenger has put it on.' Thereupon the Prophet (peace be upon him) told him, 'I have with me sacrificial animals, so do not put off the *ihram*.'

"(Jabir) said: 'The total number of those sacrificial animals brought by Ali from Yemen and of those brought by the Prophet (peace be upon him) was one hundred. All the people except the Prophet (peace be upon him) and those who had with them sacrificial animals, put off *ihram* and got their hair clipped. When it was the day of *Tarwiya* (8th of Dhul-Hijjah) they went to Mina and put on the *ihram* for Hajj and the Messenger of Allah (peace be upon him) rode and led there, the noon, afternoon, sunset, *'Isha* and dawn prayers. He then waited a little till the sun rose, and commanded that a tent of hair should be pitched at Namira.

"The Messenger of Allah (peace be upon him) then set out and the Quraish did not doubt that he would halt at Al-Mash'ar Al-Haram (the sacred site) as the Quraish used to do in the pre-Islamic period. The Messenger of Allah (peace be upon him), however, passed on till he came to 'Arafah and he found that the tent had been pitched for him at Namira. There he got down till the sun had passed the meridian; he commanded that al-Qaswa be brought and saddled for him. Then he came to the bottom of the valley, and addressed the people saying:

> Verily your blood, your property are as sacred and inviolable as the sacredness of this day of yours, in this month of yours, in this town of yours.

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*A preparation of pulverized antimony used for darkening the eyelids.

> Behold! Everything pertaining to the Days of Ignorance is under my feet, and completely abolished. Abolished are also the blood-revenges of the Days of Ignorance. The first claim of ours on blood-revenge which I abolish is that of the son of Rabi'a ibn al-Harith, who was nursed among the tribe of Sa'd and killed by Hudhail. And the usury of the pre-Islamic period is abolished, and the first of our usury I abolish is that of 'Abbas ibn 'Abd al-Muttalib, for it is all abolished.
>
> Fear Allah concerning women! Verily you have taken them on the security of Allah, and intercourse with them has been made lawful unto you by word of Allah. You too have rights over them, in that they should not allow anyone to sit on your bed whom you do not like. But if they do that, you can chastise them but not severely. Their rights upon you are that you should provide them with food and clothing in a fitting manner.
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> I have left among you the Book of Allah, and if you hold fast to it, you will never go astray. And you will be asked about me (on the Day of Resurrection), (now tell me) what would you say? They (the audience) said: "We will bear witness that you have conveyed (the message), discharged (the ministry of Prophethood) and given wise (sincere) counsel." He (the narrator) said: "He (the Holy Prophet) then raised his forefinger towards the sky and pointing it at the people (said): 'O Allah, be witness. O Allah be witness,' saying it thrice'."

"Then *adhan* was pronounced and later on *iqama* and the Prophet (peace be upon him) led the noon prayer. Then another Iqama was pronounced and the Prophet (peace be upon him) led the afternoon prayer and he observed no other prayer in between the two.[1] The Messenger of Allah (peace be upon him) then mounted his camel and came to the place where he was to stay. He made his she-camel, al-Qaswa, turn towards the rocky side, with the pedestrian path lying in front of him. He faced the Qiblah, and stood there until the sun set, and the yellow light diminished somewhat, and the disc of the sun totally disappeared. He made Usama sit behind him, and pulled the nosestring of Qaswa so forcefully that its head touched the saddle (in order to keep her under perfect control), and pointing out with his right hand, advised the people to be moderate (in speed) saying: "O people! calmness, calmness!" Whenever he passed over an elevated tract of land, he slightly loosened the

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[1]This proves the validity of joining *Zuhr* and *'Asr* prayer on this day, at this place. There is consensus on it, but there is disagreement as to its cause. Abu Hanifah and some Shafi'i scholars hold that it is a part of Hajj, but the majority of Shafi'i scholars hold it is due to journey.

nosestring of his camel till she climbed up. This is how he reached al-Muzdalifah."

"There he led the evening and *'Isha* prayers with one *adhan* and two *iqamas* and did not glorify (Allah) in between them (i.e. he did not observe supererogatory rak'ahs between *Maghrib* and *'Isha* prayers). The Messenger of Allah (peace be upon him) then lay down till dawn and offered the dawn prayer with an *adhan* and *iqama* when the morning light was clear. He again mounted al-Qaswa, and when he came to Al-Mash'ar Al-Haram, he faced Qiblah, and supplicated to Allah, Glorified Him, and pronounced His Uniqueness and Oneness, and kept standing till the daylight was very clear.

"He then went quickly before the sun rose, and seated behind him was Al-Fadl ibn 'Abbas, who was a man with beautiful hair, fair complexion, and handsome face. As the Messenger of Allah (peace be upon him) moved on, a group of women riding camels was also passing. Al-Fadl began to look at them. The Messenger of Allah (peace be upon him) placed his hand on Al-Fadl's face who then turned his face to the other side, and began to look, and the Messenger of Allah (peace be upon him) turned his hand to the other side and placed it on Al-Fadl's face. He again turned his face to the other side till he came to the bottom of Muhassir. He urged her (al-Qaswa) a little, and, following the middle road,[4] which comes out at the greatest Jamarah, he came to the Jamarah which is near the tree. At this he threw seven small pebbles, saying, '*Allahu Akbar*' while throwing every one of them in a manner in which the small pebbles are thrown (holding them with fingers) and this he did while at the bottom of the valley.[5]

"He then went to the place of sacrifice, and sacrificed sixty-three (camels) with his own hand. He shared the remaining camels with Ali, who sacrificed them. He then commanded that a piece of meat from each sacrificed animal be put in a pot. When it was cooked, both of them (the Prophet and Ali) ate some of it and drank its soup.

"The Messenger of Allah (peace be upon him) again rode and came to the House (of Allah), where he performed *Tawaf Al-Ifadah* and offered the *Zuhr* prayer at Makkah. He came to the tribe of 'Abd al-Muttalib, who were supplying water at Zamzam, and said: 'Draw water, O Banu 'Abd al-Muttalib; were it not that people would usurp this right of supplying water from you, I would have drawn it along with you.' So they handed him a bucket and he drank from it."

The scholars said: "This hadith is one of its kind. It contains lots of valuable information." Al-Qadi 'Iyad said: "Many scholars have spoken (and written) at great length about the legal injunctions contained in this hadith." Abu Bakr ibn Al-Mundhir has listed a large part of these identifying about one hundred

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[4] This proves that it is sunnah to follow a different road on the way back from Arafah than the one taken while going toward it. The Prophet (peace be upon him) went by the Dab road to Arafah. Similarly he used to take different routes going to or coming back from 'Eid prayers.

[5] That is, he stood there at a place where Mina, Arafah and Al-Muzdalifah were on his right, and Makkah on his left side.

and fifty injuctions. He observes that if he had analysed more closely this number would almost double.

The scholars said: This hadith indicates that for the women giving birth to a child or having monthly periods it is sunnah — and much more so for others — to take a bath when they intend to perform Hajj or 'Umrah. It also teaches us that the women who are menstruating or are still in their confinement after childbirth, should clean themselves properly, cover their private parts with a piece of cotton, then declare their *ihram*. It also indicates that *ihram* must be declared after offering either a *fard* or a supererogatory prayer. After declaring *ihram* one should utter *talbiyah* loudly and preferably use the same words as used by the Prophet (peace be upon him). However, there is no harm in adding similar phrases as 'Umar did: "O Allah! I answer Your call, You Who gives blessings and good favors. I answer Your call fearing You, and wishing Your favor."

This hadith also indicates that a pilgrim must first come to Makkah where one must perform circumambulation of arrival in Makkah (*Tawaf qudoom*), and touch the Black Stone — if possible — and make the first three rounds running, while making the other four walking at normal speed. The running is done around the Ka'bah except between the Yemeni Corner and the Black Stone.

After making the *Tawaf* one must go to the Station of Ibrahim (peace be upon him) and recite the verse: "Take the Station of Ibrahim as a place for prayer." Then standing there, with the Station of Ibrahim between him and the Ka'bah, he should pray two *rak'ahs* reciting after Al-Fatihah, Surah Al-Kafirun in the first rak'ah, and Surah Al-Ikhlas in the second rak'ah. This hadith also indicates that touching the Black Stone again prior to leaving the Sacred Mosque is recommended (if possible), just as one did upon entering it. There is consensus among the scholars that touching (kissing) the Black Stone is sunnah.

After that, one must make *Sa'i* and for this purpose go to mount Safa, climb it, face the Ka'bah and make supplications three times to Allah. Then, one must climb down and walk toward Marwah, while jogging in the marked area called *bainal milain* between Safa and Marwah every time one passes this area during the seven rounds — not just in the first three rounds as in *Tawaf*. On reaching Marwah one should climb it just as one climbed Safa, make supplications, and make remembrance.

Completion of all these rites will complete one's 'Umrah. Now one should either shave one's head or clip some of one's hair to get out of the state of *ihram*. This is precisely what the Companions of the Prophet (peace be upon him) did when the Prophet (peace be upon him) commanded them to change their Hajj to 'Umrah. As for the pilgrim who is combining Hajj and 'Umrah, he must not shave or clip his hair, but should remain in his state of *ihram*.

On the 8th of Dhul-Hijjah, those who had put off their *ihram* after making 'Umrah, should again put on *ihram* to perform pilgrimage, and then head to Mina with those who combine Hajj and 'Umrah. It is sunnah to offer the five daily prayers in Mina and to spend the night of the 9th of Dhul-Hijjah there.

It is also sunnah not to leave Mina for 'Arafah until after the sunrise, and not to enter 'Arafah until the sun begins to decline, and after offering both *Zuhr* and *'Asr* prayers, which the Prophet (peace be upon him) offered at Namira which is not a part of 'Arafah. The Prophet (peace be upon him) did not enter his quarters at 'Arafah until after offering *Zuhr* and *'Asr* prayers. Moreover, it is also sunnah of the Prophet (peace be upon him) to offer some supererogatory (*nawafil*) prayers in between these two prayers.

The imam should give a sermon before the prayer, which is one of the sunnah sermons in pilgrimage. The second sermon is given by the imam on the 7th of Dhul-Hijjah after *Zuhr* prayer in the Ka'bah. The third of these sunnah sermons is delivered on the 10th of Dhul-Hijjah, the day of slaughtering. And the fourth sermon is given on the day the people leave (*yawm an-nafr*) — the 11th day of Dhul-Hijjah.

This hadith also contains some important manners and etiquette for performing Hajj and 'Umrah:

1) It is better to delay going to one's quarters at 'Arafah until after offering both *Zuhr* and *'Asr* prayers.

2) It is better to spend the time at 'Arafah riding one's mount.

3) It is better to stand by the rocks or close to them as the Prophet (peace be upon him) did.

4) One should face Qiblah while in 'Arafah.

5) One must stay at one's quarters in 'Arafah until sunset.

6) One should make supplications to Allah, raising one's hands to one's chest, and after the sunset calmly and quietly leave 'Arafah. And if one is in a leading position one should ask others to do likewise.

7) Upon arriving at Al-Muzdalifah, one should combine *Maghrib* and *'Isha* prayers with one *adhan* and two *iqamahs*.

8) One may not offer any *nawafil* prayers in between these two prayers. There is consensus among Muslim scholars about combining these two prayers. They differ, however, concerning the reason for it. Some claim that it is a part of the rites of the Hajj, while others say it is a permission granted to them, because they are traveling.

9) Spending the night at Al-Muzdalifah is also sunnah. All scholars agree that it is part of the Hajj rites. They do, however, differ on whether spending the night there is obligatory or sunnah.

10) It is also sunnah to offer Fajr prayer at Al-Muzdalifah, and then depart from it for Al-Mash'ar Al-Haram to stop there and make supplications. Stopping there is a part of the Hajj rite.

11) It is sunnah to leave Al-Mash'ar Al-Haram when dawn is well advanced and go to the bottom of Mohassir valley. When in this valley one should walk fast because this is the place where Allah's wrath descended upon the Companions of the Elephant.

12) On reaching the *jamarah* — *jamarah al 'aqabah* — one should throw seven pebbles at it, and with each throw say *Allahu Akbar*. The pebbles should be no more than the size of a cereal seed (beans).

13) After this one should offer his sacrifice, if one has one, slaughtering it with one's own hands. After slaughtering one may shave one's head.

14) Now one must go to Makkah to perform *Tawaf ifadah* also known as *Tawaf az-ziyarah* or circumambulation of visit.

One is thereafter permitted to engage in any lawful activity that was unlawful for him while in the state of *ihram*, including sexual intercourse with one's wife. A person who has thrown pebbles at *Jamarah al-'Aqabah,* but has not performed the circumambulation of *ifadah* (or *ziyarah*) may engage in any lawful activity except sexual intercourse with his wife.

That is the guidance of the Prophet (peace be upon him) concerning Hajj. It explains what he meant when, according to a hadith, he said: "Take your rites from me," for his Hajj alone is the real and true Hajj.

In the following pages we will deal in detail with all these rites, and the opinions of various scholars concerning them.

Chapter Four

MAWAQIT: FIXED TIMES AND PLACES FOR *IHRAM*

Fixed Time For Hajj

This refers to the specific period of time when the rites of Hajj have to be performed to be valid. This is clear from the words of Allah: "They ask you concerning the new moons. Say: They are but signs to mark fixed periods of time (in the affairs of) men, and for Hajj"[1] and "For Hajj are the months well-known."[2] The Muslim scholars are agreed that the months of Hajj are the months of Shawwal and Dhul-Qui'dah. They differ about the month of Dhul-Hijjah, whether only the first ten days of it are included in the months of Hajj or the entire month. Ibn 'Umar, Ibn 'Abbas, Ibn Mas'ud, the Hanafi and Shafi'i school, and Ahmad are of the opinion that only its first ten days are included in the months of Hajj, while Malik holds the entire month of Dhul-Hijjah as one of the Hajj months. Ibn Hazm supports Malik's opinion, saying that the words, "For Hajj are the months well-known," does not mean two months and a part of other months.

Similarly we know that of the rites of Hajj, the throwing of pebbles at jamarah takes place on the 13th of Dhul-Hijjah, while the scholars agree that the circumambulation of *Ifadah*, which is one of the essential rites of Hajj, may be performed anytime in the month of Dhul-Hijjah. There is no disagreement on this point. It is, therefore, quite correct to say that all three months are the months of Hajj.

The effects of disagreement are apparent mainly in the rites performed after slaughtering the sacrificial animal. Those who consider the entire month of Dhul-Hijjah a Hajj month, hold there is no penalty for delay in slaughtering an animal. On the other hand, those who hold that only its first ten days are included in the period of Hajj are of the opinion that such a person must offer a penalty and offer a sacrifice for delay.

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[1] Qur'an 2:189

[2] Qur'an 2:197

Putting on *Ihram* Before the Months of Hajj

Ibn 'Abbas, Ibn 'Umar, Jabir and Ash-Shafi'i are of the opinion that donning the garb of *ihram* for Hajj is not valid outside its months.[3]

Ibn 'Umar said, "The months of Hajj are Shawwal, Dhul-Qui'dah and ten days of Dhul-Hijjah." Ibn 'Abbas said: "The sunnah is to declare one's intention and to put on *ihram* with the intention of performing Hajj during the months of Hajj."[4]

Ibn Jarir reported from Ibn 'Abbas that he said: "To put on *ihram* for Hajj is not valid except in the months of Hajj."

The Hanafites, Malik, and Ahmad are of the opinion that to put on *ihram* for Hajj before its months is permissible but disliked. Ash-Shawkani, however, preferred the first opinion. He observes: "Allah, the Exalted One, has named specific months for Hajj rites, of which *ihram* is one. So whosoever claims that it is permissible to put on *ihram* even before these months must produce evidence to support his claim."

Fixed Places for Putting on *Ihram*

Mawaqit of place are the specific places where a pilgrim or a person intending to visit Makkah for 'Umrah or Hajj must declare his intention to do so and put on *ihram*, the pilgrim garb. Anyone intending to perform Hajj or 'Umrah must not pass beyond these places without *ihram*.

The Prophet (peace be upon him) himself specified these places:

For the people of Madinah the *miqat* (singular of *mawaqit*) is Dhal-Halaifah, a place 450 kilometres to the north of Makkah, from where they must declare their intention and don the *ihram*, the Hajj garb.

For those coming from Syria, Jordan, Palestine and Lebanon, the *miqat* is Al-Juhfah, a place 187 kilometres to the north-west of Makkah, and close to Rabigh, which is 204 kilometres from Makkah. Rabigh became the *miqat* for the people coming from Syria and Egypt, after the settlement of Al-Juhfah disappeared completely.

The *miqat* for people of Najd is Qarn al Manazil, a mountain 94 kilometres to the east of Makkah, overlooking 'Arafah.

Yalamlam, a mountain 54 kilometres to the south of Makkah is the *miqat* for those coming from Yemen. Here they must declare their intention and put on *ihram*.

For the people of Iraq, the *miqat* is Dhat Irq, a place 94 kilometres to the north-east of Makkah.

These places were fixed by the Prophet (peace be upon him) himself for all those who pass by them whether they come from these specific areas or

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[3] Anyone putting on *ihram* before the months of Hajj may, however, perform 'Umrah, but this cannot be a substitute for his *ihram* for Hajj.

[4] Bukhari

some other areas. The Prophet (peace be upon him) said: "These places are for the people (coming from the above specified countries) as well as for others who pass by them on their way to perform Hajj or 'Umrah." For a person who is present in Makkah and intends to perform Hajj, like the residents of Makkah, his *miqat* would be the place where he is staying in Makkah. However, if such a one intended to perform 'Umrah, then he should go to Al-Khol or At-Tan'im, for that is his *miqat* for 'Umrah. He should go there and make his *ihram* for 'Umrah.

A person who is a resident in an area between the *miqat* and Makkah, he may make his *ihram* from his house.

Ibn Hazm said: "A person travelling by land or sea (to Makkah for Hajj or 'Umrah) who does not pass by any of these places may make his *ihram* from any place he likes."

Declaring *Ihram* Before Reaching the *Miqat*

Ibn al-Mundhir says: "There is consensus among the scholars that a person who declares his intention to perform Hajj or 'Umrah and puts on his *ihram* before reaching the *miqat* does enter the state of *ihram*. But is it undesirable to do so? Some say it is, in light of the saying of the Companions that the Prophet (peace be upon him) himself fixed Dhul Hulaifah as *miqat* for the people of Madinah which means that (an intending pilgrim) should make his *ihram* from these specified places, without any addition or deletion from the rule. But if addition is not prohibited, then at least the best course would be not to do it (i.e. not make *ihram* before reaching the fixed place)."

Chapter Five

IHRAM

Definition

Ihram is the intention to perform either Hajj or 'Umrah, or to make intention of performing both. Intention is an important element of both. Allah says: "And they have been commanded no more than this: to worship Allah, offering Him sincere devotion."[1] The Prophet (peace be upon him) said: "The actions will be rewarded according to the intentions behind them, and every person will have what he had intended."

We have dealt with the subject of intention in *Fiqh us-Sunnah*, Vol.1.[2] The human heart is its seat. Al-Kamal bin al-Homam reported, "We are unaware of anyone among the narrators reporting about the rites performed by the Prophet (peace be upon him) and saying that he (the Prophet) declared his intention to perform Hajj or 'Umrah aloud saying, "I have made the intention to make 'Umrah or Hajj."

Etiquette of *Ihram*

There are certain etiquette which one must observe while in a state of *ihram*:

1) **Cleanliness:** This means clipping one's fingernails, trimming the moustache, shaving off the hair from under the armpits, shaving the pubic hair, making an ablution or preferably taking a complete bath, and in the case of men, to comb their beard and hair.

Ibn 'Umar said: "It is sunnah for a pilgrim to take a complete bath before entering the state of *ihram* or before entering Makkah." This is reported by Al-Bazzar, Ad-Daraqutni, Al-Hakim, who considers it a sound hadith.

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[1] Qur'an 98:5

[2] See the chapter on Wudu in Fiqh us-Sunnah vol.1.

It is reported from Ibn 'Abbas that Allah's Messenger (peace be upon him) said: "A woman in the state of confinement after childbirth and one in her menstruation period must take a complete bath, declare her *ihram*, and perform all the rites except circumambulation around the Ka'bah, which she may perform after she is in a state of purification."[3]

2) **Taking off all sewn clothes and putting on the Hajj garb, that consists of two sheets of cloth.** One of these is wrapped round the upper part of the body, except the head, and the other (*izar*) is wrapped round the lower part of the body. Both of these sheets should be white as this color is the best color in the sight of Allah.

Ibn 'Abbas said: "Allah's Messenger (peace be upon him) combed his hair, wore some perfume, put on his Hajj garb, along with his Companions, and then he set out from Madinah accompanied by them."[4]

3) **Wearing Some Perfume:** The perfume may be used on the body as well as the Hajj garb, even if it should continue to smell afterwards.

'Aishah said: "It is as if I can still (in retrospection) see the traces of perfume glittering on the Prophet's head while he was in the state of *ihram*."[5] She also reported: "I used to apply perfume to the Prophet (peace be upon him) before he wore his Hajj garb, and again when he ended his state of *ihram*, but before he had made *Tawaf* around the Ka'bah."[6] In another report transmitted by Ahmad and Abu Daw'ud, 'Aishah said: "We used to go to Makkah with Allah's Messenger (peace be upon him), and when we wore our Hajj garb we used to sprinkle musk on our foreheads. And if one of us was sweating or perspiring it would run down her face. The Prophet (peace be upon him) would notice this but did not prohibit its use."

4) **Praying Two Rak'ahs.** With these, one should make one's intention to assume the state of *ihram*. In the first rak'ah one should recite Surah Al-Kafirun, and recite Surah Al-Ikhlas in the second rak'ah after the recitation of Surah Al-Fatihah.

Ibn 'Umar reported: "The Prophet (peace be upon him) used to offer two rak'ahs at Dhul-Hulaifah.

If, however, one offered a prescribed prayer at that time it will suffice him, just as a prescribed prayer suffices and replaces a prayer of salutations to the mosque.

Kinds of *Ihram*

Ihram is of three kinds:

1) *Qiran* (combining both 'Umrah and Hajj).

2) *Tamattu'* (combining both Hajj and 'Umrah with a break in between), and

3) *Ifrad* (Hajj only).

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[3] Ahmad, Abu Daw'ud, and Tirmidhi who considers this hadith sound.

[4] Reported by Bukhari.

[5] Reported by Bukhari and Muslim.

[6] Bukhari and Muslim.

There is consensus among scholars that all these three kinds are legitimate.

'Aishah reported: "We left (Madinah) with Allah's Messenger (peace be upon him) to perform the Farewell Hajj. Some of us declared *ihram* to perform 'Umrah, while others declared their intentions to perform both Hajj and 'Umrah. Yet others declared their *ihram* to perform Hajj only. The Prophet (peace be upon him) declared *ihram* for Hajj only.

As for those who intended 'Umrah, they terminated their *ihram* as soon as they finished the rituals of 'Umrah. Those who intended to combine Hajj with 'Umrah or those who intended to perform Hajj only, they did not terminate their *ihram* until the Slaughtering Day (*Yawm un-Nahr*), the 10th of Dhul-Hijjah."[7]

Qiran - Combining Hajj and 'Umrah

In it a pilgrim declares his intention to perform both Hajj and 'Umrah together, and says when doing *talbiyah*, "O Allah, I answer your call to perform Hajj and 'Umrah." Such a pilgrim is required to remain in the state of *ihram* until he has performed all the rites of 'Umrah and Hajj. Or, for this kind of *ihram*, a pilgrim may declare his intention to perform 'Umrah and later, before making the *Tawaf* around Ka'bah, make his intention to perform Hajj as well.

Tamattu' - Combining 'Umrah and Hajj With a Break in Between

Tamattu' means performing 'Umrah during the Hajj season, and then subsequently making Hajj the same year. It is called *tamattu'* (or enjoyment) due to the fact that a pilgrim has the added advantage of performing Hajj and 'Umrah in the same journey without having to go back home, and also because such a pilgrim after the 'Umrah, enjoys normal life; he can wear his usual clothes, apply perfume, and do other things until the time he once again puts on his Hajj garb for the Hajj.

Anyone intending to make a *tamattu'* should on approaching the *miqat*, first make intention for 'Umrah. While uttering *talbiyah* he should say:

Labbaik bil 'Umrah. لبيك بالعمرة

"O Allah, I answer Your call to perform 'Umrah." Such a pilgrim should keep on his or her Hajj garb until he circumambulates around the Ka'bah, walks between Safa and Marwah, then clips his hair or shaves it. After that he may put away his Hajj garb and wear his usual clothes. He may do everything that is permissible but was prohibited for him in the state of *ihram*. On the 8th of Dhul-Hijjah, such a person must declare his or her intention to perform Hajj and put on *ihram* from Makkah.

The author of *Al-Fath* says: "The majority of the scholars agree that *Tamattu'* means a pilgrim may combine Hajj with 'Umrah during the months

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[7] Reported by Ahmad, Bukhari, Muslim and Malik.

of the Hajj and in the same journey, and that when he performs 'Umrah he should be present in Makkah. In the absence of any of these conditions he may not perform Hajj *tamattu'*.

Ifrad (Or Hajj only)

Ifrad means a pilgrim intending to perform Hajj only should, while at the *miqat*, make intention for Hajj only. While making *talbiyah* he or she should say,

Labbaik bihajj لبيك بحج

"(O Allah, I answer your call to perform Hajj)," and must keep his or her Hajj garb until all the rites of Hajj are completed. Then, if such a pilgrim desires, he or she may perform an 'Umrah.

Which of the Above Kinds is the Best

The scholars disagree as to which of these is the best kind. The Shafi'i school holds that *ifrad* and *tamattu'* are superior to *qiran*, because in either of the former two kinds a pilgrim has the opportunity to perform complete rites of Hajj and of 'Umrah. On the other hand, a *qarin* (one who undertakes a *qiran* Hajj) is able to perform Hajj only.

As to which of the two — *tamattu'* or *ifrad* — is better, there are two opinions. One group of scholars holds *tamattu'* as superior to *ifrad*, while the others hold *ifrad* is better.

The Hanafi school holds that *qiran* is better than *tamattu'* and *ifrad*, and that *tamattu'* is better than *ifrad*. The Maliki school holds that *ifrad* (Hajj only) is better than *tamattu'* and *qiran*. The Hanbali scholars, on the other hand, are of the view that *tamattu'* (combining Hajj and 'Umrah with a break in between), is better than the *qiran* and *ifrad*. This is comparatively easy and the people can perform it comfortably.

In fact, this is what the Prophet (peace be upon him) performed himself and commanded his Companions to do likewise. 'Ata said, "I heard Jabir ibn Abdullah saying, 'We (the Companions) declared our intention to perform Hajj only. On the 4th of Dhul-Hijjah the Prophet (peace be upon him) commanded us to terminate our state of *ihram*, saying, "Terminate your state of *ihram* and go to your wives." He did not, however, oblige us to do so but he permitted us. We said: 'There are only five days left to the Day of 'Arafah. Shall we go to 'Arafah while semen is dribbling from our male organs?" The Prophet (peace be upon him) stood up and said: "You know that I fear Allah the most, and that I am the most truthful, and the most pious amongst you. If I had not brought my sacrificial animals with me, I also would have terminated my state of *ihram*. If I were to again come (to Makkah), I shall not bring the sacrificial animals with me. So terminate your state of *ihram*." At this we terminated our state of *ihram*; we listened to and obeyed (the Prophet)." This was reported by Muslim.

Putting on *Ihram* Without Specifying Its Kind

If a person puts on *ihram* with the intention of performing whatever Allah has prescribed for him without specifying any of the above three kinds due to lack of knowledge, his *ihram* would be quite lawful and valid.

The scholars said: "If such a person utters *talbiyah* like others with the intention of performing the rituals (of Hajj), but says nothing in words, nor makes an intention in his heart, nor specifies whether it is *tamattu'*, *ifrad*, or *qiran* Hajj that he intends, his pilgrimage would still be valid, and he will be reckoned to have made one of the three kinds of Hajj.

Tawaf and *Sa'i* for those Performing *Qiran* and *Tamattu'* — The People Living Within the Sacred Precincts of Ka'bah May Perform *Ifrad* (Hajj only)

Ibn 'Abbas was once asked about the break between 'Umrah and Hajj to which he replied: "The *Muhajirun* (immigrants from Makkah), the *Ansar* (people of Madinah), and the wives of the Prophet (peace be upon him) declared their intention to perform the Farewell Hajj. So we also declared our intention to do the same. Upon arrival in Makkah, the Prophet (peace be upon him) said: "Make your declaration of intention for 'Umrah only, except for those who have already designated their sacrificial animals, and brought them along with them." We made *Tawaf* of Ka'bah, walked seven times between Safa and Marwah. Then we consorted with our wives and wore our regular clothes. The Prophet (peace be upon him) further told us: "Those who have garlanded (i.e., marked) their sacrificial animals, they must not break their state of *ihram* until the animal reaches the slaughter house to be offered in sacrifice. Then we were commanded by the Prophet (peace be upon him) to declare our intention for Hajj on the night of the 8th of Dhul-Hijjah. After completing all the rites of Hajj, we went and circumambulated around the Ka'bah, walked between Safa and Marwah, and thus we completed Hajj and we offered the sacrifice as Allah says, "If any one wishes to continue the 'Umrah onto the Hajj, he must make an offering such as he can afford, but if he cannot afford it, he should fast three days during the Hajj and seven days on his return ... (to his country)."[8] Offering a sheep in sacrifice is enough for this purpose. These Companions of the Prophet (peace be upon him) combined two worships in one year: Hajj and 'Umrah. Allah has mentioned it in His Book and (reinforced it) by the practice of His Prophet (peace be upon him), making it permissible for all people, excepting the residents of Makkah. Allah says (Qur'an 2:136): "This is for those whose household is not in (the precincts of) the Sacred Mosque." The Hajj months referred to are Shawwal, Dhul-Qui'dah and Dhul-Hijjah. So whosoever combines an 'Umrah and Hajj during these months has to offer a sacrifice, or observe fast. This is reported by Bukhari.

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[8] Qur'an 2:196

This hadith proves that the residents of Makkah can neither perform *qiran* nor *tamattu'*. They may perform *ifrad* only — a single Hajj or a single 'Umrah. This is the opinion of Ibn 'Abbas, and Abu Hanifah in the light of Allah's words, "This is for those whose household is (in the precincts of) the Sacred Mosque."

There is disagreement among scholars concerning "those whose household is (in the precincts) of the Sacred Mosque." Malik holds that they are the people of Makkah. Al-A'raj agrees with this view and also At-Tahawi who preferred this view. Ibn 'Abbas, Taw'us, and another group are of the opinion that it is the people living within the sacred precincts of Haram, which according to Al-Hafiz, is quite apparent. Ash-Shafi'i holds that any one living around Makkah at a distance not more than that at which one is permitted to shorten regular prayers is a resident of Makkah. Ibn Jarir agrees and prefers this view. The Hanafi scholars hold that all those living within or at the *miqat* are residents of Makkah. In this regard, the place of residence and not the place of birth of a person is taken into account.

The above hadith also indicates that a person who performs *Hajj tamattu'* must first make a *tawaf* of Ka'bah and *Sa'i* between Safa and Marwah. This will suffice him for *tawaful qudum* (circumambulation of arrival) which is performed as a greeting to the Sacred Mosque upon arrival there. Then, after the Day of 'Arafah, such a person shall make another *tawaf, tawaf ifada*, and perform another *Sa'i* between Safa and Marwah.

As for the *qarin*, the pilgrim who combines 'Umrah and Hajj and remains in a state of *ihram* after the first 'Umrah, the scholars are of the opinion that he needs to perform only one *tawaf* (seven circumambulations around Ka'bah) and one *Sa'i* (seven rounds between Safa and Marwah) for both the Hajj and 'Umrah. The case of such a person is very much similar to the pilgrim who performs *ifrad* (Hajj only).

1) Jabir reported: "The Prophet (peace be upon him) combined Hajj and 'Umrah, with one *tawaf*." This is transmitted by Tirmidhi, who considers it a sound hadith.

2) Ibn 'Umar reported that the Prophet (peace be upon him) said: "He who declared his intention to perform Hajj and 'Umrah together, may perform one *tawaf* and one *Sa'i* for them." This is reported by Tirmidhi, with the remarks that this is a *hasan gharib* hadith. Ad-Daraqutni has also reported it, but he adds: "One must not terminate one's state of *ihram* until one has completed both (the Hajj as well as 'Umrah)."

3) The Prophet (peace be upon him) told 'Aishah: "Your *tawaf* of the Ka'bah and *Sa'i* between Safa and Marwah will suffice you for both Hajj and 'Umrah." This is reported by Muslim.

Abu Hanifah, however, is of the view that in such a case (i.e., combining Hajj and 'Umrah) *tawaf* and *Sa'i* must be performed twice. The first hadith is preferable considering its authenticity and strength of evidence.

4) A hadith says that a pilgrim who combines Hajj and 'Umrah, with a break in between (as in *tamattu'*) or without a break (as in *qiran*) must sacrifice at least a sheep. And if one cannot afford the sacrifice he should fast three

days during Hajj and another seven days after returning home. It is preferable for such a person to fast three days during the ten days of Dhul-Hijjah before the Day of 'Arafah. Some scholars such as Taw'us and Mujahid, however, hold that such a pilgrim may fast at the beginning of the month of Shawwal. Ibn 'Umar, on the other hand, is of the opinion that such a pilgrim may fast a day before the 8th, and the 8th as well as 9th of Dhul-Hijjah (Day of 'Arafah). If such a pilgrim failed to fast these three days, or fasted some of them before 'Eid, then he may observe fast during the *tashriq* days (i.e., the 11th, 12th and 13th of Dhul-Hijjah). This is based on a report from 'Aishah and Ibn 'Umar who said: "Fasting is not permitted on the 11th, 12th and 13th of Dhul-Hijjah except for those who are obligated to fast because they cannot afford the sacrifice." This is reported by Bukhari. If one fails to fast these three days during Hajj, then one must make them up later.

As for the seven days of fasting, according to some scholars, one may fast them upon arriving at his home town. Others, like Mujahid and 'Ata, say one may do so after arriving at one's stopover. According to them one may fast these seven days on the way back home. These ten days of fasting do not necessarily have to be fasted consecutively.

Once a person makes intention (for Hajj or 'Umrah) and dons the *ihram*, he must make *talbiyah*.

Chapter Six

TALBIYAH

Its Legality

There is consensus among the scholars that *talbiyah* is a prescribed practice.

Umm Salamah reported: "I heard Allah's Messenger (peace be upon him) saying: "O Family of Muhammad! Whoso among you intends to perform Hajj must raise his voice while uttering *talbiyah*." This is reported by Ahmad and Ibn Hibban.

The scholars disagree, however, on its legal status, timing, and the position of one who delays it. Ash-Shafi'i and Ahmad hold that it is sunnah of the Prophet (peace be upon him); it is desirable to utter it when putting on the garb of *ihram*. Thus, if a person intended to perform Hajj but did not utter *talbiyah*, his Hajj would still be valid, and he is not required to do anything, because according to them, such a person enters the state of *ihram* just by making intention to perform Hajj.

Hanafi scholars hold that *talbiyah* or any substitute for it – such as containing praise or glorification of Allah, and bringing an animal for sacrifice – is a requisite condition for the validity of *ihram*. If someone puts on the garb of *ihram* without uttering *talbiyah* or glorifying Allah or bringing a sacrificial animal, his *ihram* is not valid, because *ihram*, according to them, is a combination of intention and one of the rites of Hajj. Thus, if one declares his intention for *ihram* and performs any of the rites of Hajj, for example if he glorifies Allah or declares, "There is no deity worthy of worship but Allah alone," or if he brought his sacrificial animal along with him but did not utter *talbiyah*, his *ihram* will be valid but he will be required to sacrifice an animal as a penalty for failing to do so.

According to the well-known position of Imam Malik, uttering *talbiyah* is obligatory and in cases where one fails to do so or does not utter it upon donning the garb of *ihram* but utters it later on, one must slaughter an animal in atonement.

Words of *Talbiyah*

Malik reported from Nafi' that Ibn 'Umar said: "The Prophet (peace be upon him) made his *talbiyah* in these words:

'Lab-baika Allahumma Lab-baik. Lab-baika la-Sharika laka lab-baik. In-nal Hamda wan-ni'mata laka wal mulk. La Sharika lak	لبيك اللهم لبيك ، لبيك لا شريك لك لبيك إن الحمد والنعمة لك والملك ، لا شريك لك.

(Here I am at Your service, O Allah! You have no partner, Here I am at Your service, O Allah. Verily, all the praise, the grace belong to You, and the kingdom. You have no partner).'"

Nafi' said that Ibn 'Umar used to add, "I am at Your service, I am at Your service. I am at Your service and at Your call. All good is in Your hands, I am at Your service. Our desire is for You, and also our deeds."

The scholars, however, prefer to restrict the words of *talbiyah* to the words used by the Prophet (peace be upon him), and there is disagreement among them concerning any addition to them. The majority, however, holds that there is no harm in adding other words to them as Ibn 'Umar and other Companions of the Prophet (peace be upon him) did. The Prophet (peace be upon him) heard them and did not say anything to them.[1] Malik and Abu Yusuf disliked adding to the *talbiyah* of the Prophet (peace be upon him).

Excellence of *Talbiyah*

Jabir reported that the Prophet (peace be upon him) said: "Whosoever makes intention to perform Hajj and pronounces *talbiyah* all day until sunset, Allah the Almighty will forgive his sins, and he will be free of sin as he was the day his mother gave birth to him."[2]

'Abu Hurairah reported that the Prophet (peace be upon him) said: "He who declares, 'There is no God but Allah' will get the good news of reward (for him), and he who magnifies Allah (or, says *Allahu Akbar* — Allah is the greatest) will receive the good news of reward (for him)." They asked: "O Prophet of Allah, is it the (good news of) Paradise?" He replied, "Yes."[3]

Sahl ibn Sa'ad reported that the Prophet (peace be upon him) said: "When any Muslim utters *talbiyah*, everything — every stone or every tree or every pebble — on his right side and on his left side responds with a (similar) *talbiyah*, until the whole earth resounds with it."[4]

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[1] Reported by Abu Da'wud and Al-Baihaqi.

[2] Ibn Majah

[3] Narrated by At-Tabarani and Sa'id bin Mansur.

[4] Reported by Ibn Majah, Al Baihaqi, Tirmidhi, Al-Hakim, who considers it a sound hadith.

Uttering *Talbiyah* Aloud is Encouraged

Zaid ibn Khalid reported that the Prophet (peace be upon him) said: "Gabriel (peace be upon him) came to me and told me: 'Command your Companions to raise their voices when saying *talbiyah*, because it is one of the rituals of Hajj." This is reported by Ibn Majah, Ahmad, Ibn Khuzaimah and Al-Hakim, who regards it a sound hadith.

Abu Bakr reported that the Prophet (peace be upon him) was asked: "Which Hajj is the best Hajj?" He replied: "One in which voices are raised when saying *talbiyah* and a sacrifice is offered."[5] Abu Hazim said: "When the Companions put on *ihram* their voices would become hoarse even before they reached Makkah." In the light of these ahadith the majority of scholars prefers that the pilgrims raise their voices when saying *talbiyah*.

Malik holds that one must not raise one's voice in saying *talbiyah* while inside a congregational mosque. One may, however, say it loud enough for oneself or for those around to hear it, except in the Sacred Mosque and the Mosque of Mina. In these two one should raise one's voice when saying *talbiyah*. This applies to male pilgrims only.

As for women, they may raise their voices when saying *talbiyah* so that they themselves or those around them can hear it. To raise their voices above that is disliked for them.

'Ata said: "Men must raise their voices (when saying *talbiyah*), but a woman should raise her voice so as to hear it herself, but she should not raise her voice more than that."

Places Where *Talbiyah* is Encouraged

Saying *talbiyah* is desirable in the following places and times: when mounting one's mount (or any means of transportation), on arriving at a place, on going up a hill or down into a valley, on meeting another group of people, at the end of every prayer, and early in the morning. Ash-Shafi'i said: "We love to say it at all times."

Timings of *Talbiyah*

A pilgrim should begin his *talbiyah* from the time he wears his *ihram* and continue it until throwing the first pebble at the Aqabah Jamarah on the 10th of Dhul-Hijjah, the Day of *Nahr* (sacrifice). Then he should stop saying *talbiyah*, as the Prophet (peace be upon him) did, according to a hadith transmitted by the Group. Ath-Thawri, the Hanafi school, Ash-Shafi'i, and the majority of scholars also hold this view. Ahmad and Ishaq, however, are of the view that a pilgrim must continue *talbiyah* until he has stoned all the three jamarahs. After that he may stop saying *talbiyah*. Malik holds that a

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[5] Reported by Tirmidhi and Ibn Majah.

pilgrim must continue *talbiyah* until the end of the Day of 'Arafah (the 9th of Dhul-Hijjah). This applies only to those performing Hajj.

As for those performing 'Umrah, they may discontinue *talbiyah* after kissing the Black Stone and starting their *tawaf*. Ibn 'Abbas reports that the Prophet (peace be upon him) used to discontinue *talbiyah* after kissing the Black Stone (at the start of his *tawaf*).[6] In practice, most of the scholars follow this hadith.

Desirability of Invoking Blessings on the Prophet (Peace be Upon Him) and Making Supplications

Al-Qasim ibn Muhammad ibn Abu Bakr said: "It is commendable for a pilgrim to send greetings and blessings on the Prophet (peace be upon him) after saying *talbiyah*." The Prophet (peace be upon him) used to seek Allah's forgiveness, pleasure, and protection from men after having said his *talbiyah*.[7]

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[6] Reported by Tirmidhi who considers it a sound hadith. When a person puts on *ihram* from a *miqat* he should discontinue *talbiyah* on entering the Haram (Sacred Mosque). And those who put on *ihram* from Ju'rana or Tan'im, they should discontinue it on reaching the houses of Makkah.

[7] Reported by At-Tabarani and others.

Chapter Seven

WHAT IS PERMITTED TO A *MUHRIM*

1) **Taking a Bath, and Changing Clothes:** Ibrahim An-Nakh'i said: "Whenever our companions approached the well of Maimun, they would take a bath and then put on their best clothes."

It is said that Ibn 'Abbas entered a public bath at Al-Johfah (to take a bath), while he was in the state of *ihram*. He was asked: "How do you do so while in the state of *ihram*?" He replied: "Allah does not need any of our dirt and filth!"

Jabir said: "A person in the state of *ihram* may take a bath and wash his garb."

Abdullah ibn Hunain reported: "Ibn 'Abbas and Al-Musawir ibn Makhramah were at Al-Abwa when they disagreed on whether a person in the state of *ihram* can wash his head. Ibn 'Abbas said: 'A person in the state of *ihram* is permitted to wash his head.' Al-Musawir differed and said that a *muhrim* is not allowed to wash his head. At this Ibn 'Abbas sent me to Abu Ayyub Al-Ansari. I found him bathing between the two wooden posts (of the well) and was screened with a sheet of cloth.

"I greeted him and he asked who I was. I replied, 'I am Abdullah ibn Hunain and I have been sent to you by Ibn 'Abbas to ask you how Allah's Messenger (peace be upon him) used to bathe while in the state of *ihram*. At this Abu Ayub Al-Ansari caught hold of the sheet of cloth and lowered it till his head appeared before me, and then told somebody to pour water on his head. He poured water on his head, and he (Abu Ayub Al-Ansari) rubbed his head with his hands by bringing them from back to front and from front to back and said, 'I saw the Prophet (peace be upon him) doing this.'" This is reported by the Group except Tirmidhi. Bukhari added: "Then I came back and told them. And Al-Musawir said to Ibn 'Abbas: 'I will never again argue with you.'"

Ash-Shawkani said: "This hadith shows that a *muhrim* is permitted to take a bath while in the state of *ihram* and may even cover his head with his hand while doing so."

Ibn al-Mundhir said: "There is consensus that a *muhrim* may take a bath when in a state of *janabah* (major impurity). There is disagreement, however, concerning bathing in other cases."

Malik reported from Nafi' that Ibn 'Umar did not wash his head while in the state of *ihram* except when he had a wet dream."[1] It is reported that Malik disliked that one should immerse one's head in water while in the state of *ihram*.

Using soap or any other cleaning agent is permissible. Ash-Shafi'i and Hanbali schools hold one may use perfumed soap for bathing, and similarly women are permitted to undo their hair and comb it, because the Prophet (peace be upon him) ordered 'Aishah, saying: "Undo your hair, and comb it."[2]

An-Nawawi said: "It is permitted to undo the hair and comb it while in the state of *ihram* provided that no hair is pulled out. Combing, however, is disliked unless there is some genuine reason for it. One may also carry one's belongings on one's head."

2) **Wearing a Short Underpants (short underwear):** Sa'id ibn Mansur reported from 'Aishah that she held that a *muhrim* may wear underpants. Al Hafiz remarked: "This is an opinion of 'Aishah, but the majority of scholars hold wearing underpants is forbidden for a *muhrim*, because it is similar to wearing trousers which are forbidden for a *muhrim*."[3]

3) **Covering the Face:** Ash-Shafi'i and Sa'id bin Mansur reported from Al-Qasim that he said: "Uthman ibn 'Affan, Zaid ibn Thabit, and Marwan ibn Al-Hakam used to cover their faces while in the state of *ihram*." Taw'us said: "A person in the state of *ihram* may cover his face if there is dust or ashes." Mujahid said: "If there was a sandstorm they covered their faces while in the state of *ihram*."

4) **Women are Allowed to Wear Shoes:** Abu Daw'ud and Ash-Shafi'i reported on the authority of 'Aishah that Allah's Messenger (peace be upon him) permitted women to wear their shoes while in the state of *ihram*.

5) **Covering the Head by Mistake:** The Shafi'i school holds that there is no harm if a pilgrim forgot and covered his head or wore a shirt in a state of forgetfulness. 'Ata said: "There is no blame on such a person, but he should seek forgiveness of Allah." The Hanafi school says that such a person will have to redeem himself (by offering a sacrifice). There is also disagreement on using perfume by mistake or unknowingly. The Shafi'i school holds: "Ignorance and forgetfulness constitute an excuse enough to remove the need for redemption for doing something forbidden, unless it is something that involves damage such as hunting, shaving, and clipping nails." This is the correct position according to them. We will deal with it at its proper place.

[1] Al-Muwatta.
[2] Muslim.
[3] Bukhari.

6) **Cupping, Opening an Abscess, Pulling a Tooth or Cutting a Vein:** It is substantiated that Allah's Messenger cupped himself in the middle of his head while he was in a state of *ihram*[4]. Malik said: "There is no blame upon a *muhrim* if in case of need, he opens an abscess, wraps a wound or severs a vein."

Ibn 'Abbas said: "A person in the state of *ihram* may pull his tooth or open an abscess." An-Nawawi said: "If a *muhrim* wants cupping without any reason, and it necessitates cutting hair, then it is unlawful to do so. But if it does not necessitate cutting hair, the majority of scholars hold it permissible. Malik, however, hold that it is disliked. Al-Hasan is of the opinion that one must sacrifice an animal if one does so, even if it does not involve cutting any hair. But if it is done because of a need, then it is permissible, but one will have to pay a ransom to redeem oneself. Zahiri school holds that an atonement is required only for cutting hair from the head.

7) **Itching in the Head and Body:** 'Aishah was asked about a pilgrim who has itching in his or her body. She said: "Yes, he or she may scratch as strongly as he or she likes." This hadith is reported by Bukhari, Muslim and Malik, who added: "If both of my hands were tied, and only my leg was free, I would use it to scratch myself." The same was reported from Ibn 'Abbas, Jabir, Sa'id ibn Jubair, 'Ata and Ibrahim An-Nakh'i.

8, 9) **Looking in the Mirror and Smelling Sweet Basil:** Ibn 'Abbas said: "A person in a state of *ihram* is permitted to smell sweet basil, look in a mirror, and cure himself by eating butter and oils."[5]

'Umar bin Abdul 'Aziz used to look in the mirror and use the tooth stick (*siwak*) while in a state of *ihram*.

Ibn Al-Mundhir said: "There is consensus among the scholars that a *muhrim* may eat oil, fat, and butter, but he is not permitted to use perfume all over his body.

Hanafi and Maliki scholars hold it is disliked for a *muhrim* to stay at a place which is full of perfume or scent, whether he intended to smell it or not. Hanbali and Shafi'i schools are of the opinion that if such a person does so intentionally it is unlawful for him, otherwise there is no harm. The Shafi'i school holds that sitting at a perfumer in an incensed place is permissible, because its prohibition will make things difficult. Applying perfume is not desirable; one should avoid it unless one is sitting in a place where one cannnot avoid it, for example, if one is sitting in the Sacred Mosque when it is scented. In this there is no harm, nor is it disliked, because sitting at this place is a means of achieving closeness to Allah, and to abandon it for something which is at best only permissible is not desirable. One may carry the perfume in a bottle or wrapped in a cloth and one is not required to make any atonement for doing so.

10, 11) **Wearing a Belt Pocket Around the Waist to Keep One's Money and Wearing a Ring:** Ibn 'Abbas said: There is no harm if a *muhrim* wears a ring, or a belt pocket to keep his money.

12) **Wearing *Kohl* in the Eye:** Ibn 'Abbas said: A person in a state of *ihram* may wear *kohl* if his or her eyes are sore, provided the *kohl* is not perfumed. There is consensus among scholars on its permissibility for treatment but not as a means for beautification.

13) **Sitting Under the Shade of an Umbrella, a Tent, a Roof, etc.** Abdullah ibn 'Amer reported: " 'Umar used to throw a piece of leather on a tree and sit under its shade while he was in the state of *ihram*." This is reported by Ibn Abi Shaiba.

Ummul-Hussain reported: "I performed the Farewell Hajj with the Prophet (peace be upon him). I saw Usamah ibn Zaid and Bilal. One of them was holding the noseband of the Prophet's she-camel, and the other was shading him with a cloth from the sun until he threw the pebbles at 'Aqabah." This is reported by Ahmad and Muslim. 'Ata said: "A *muhrim* may shade himself from the sun, and take shelter to protect himself from rain and wind." Ibrahim An-Nakh'i reported: "Al-Aswad ibn Yazid threw a cloth over his head for shelter from rain while he was in the state of *ihram*."

14) **Using Henna:** The Hanbali school holds that using henna for dyeing any part of the body, except the head, is not forbidden for a *muhrim*, male or female. The Shafi'i school holds that a male *muhrim* may use henna for dying any part of the body, except hands and feet, dying of which without any genuine cause is not permissible in the state of *ihram*. Also covering one's head with thick (layers of) henna is not permissible. They also hold that it is not desirable for a woman in the state of *ihram* to use henna, and that it is unlawful for her to do so if she is in *'iddah* after the death of her husband.

The Hanafi and the Maliki schools on the other hand, hold that a *muhrim*, male or a female, is not permitted to use henna for dyeing any part of the body because it is a perfume, and a *muhrim* is not allowed to wear perfume during the state of *ihram*. Khawlah bint Hakim reported from her mother that the Prophet (peace be upon him) told Umm Salamah: "Do not wear perfume while you are in the state of *ihram*, nor touch henna, because it is a perfume."[6]

15) **Punishing a Servant for Discipline:** Asma bint Abi Baker reported: "We went for Hajj with the Prophet (peace be upon him). When we reached a place called 'Arj the Prophet (peace be upon him) stopped, and so did we. 'Aishah sat by the Prophet (peace be upon him), and I sat next to Abu Bakr. Their travel supplies were with a servant of Abu Bakr. He sat down waiting for his servant. When the servant came he was walking on foot, and had no camel with him. Abu Bakr asked him about his camel. The servant replied: 'I lost it yesterday.' At this Abu Bakr got angry and said to him: 'You had only one camel (to look after) and you lost it.' And he beat him. The Prophet

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[6] Reported by At-Tabarani in *Al-Kabir*, Al-Baihaqi in his *Al-Ma'rifah*, and by Ibn Abdul-Barr in his work *At-Tamheed*.

(peace be upon him) smiled and said: 'Look at this *muhrim* — Abu Bakr! What is he doing?' And he kept on smiling and repeating this."[7]

16) **Killing Flies, Fleas, and Lice:** 'Ata was asked by a man about the fleas or ants that vexed him while he was in the state of *ihram*. He replied: "You may throw away what does not belong to you." Ibn 'Abbas said: "A *muhrim* may kill lice and ticks."

A *muhrim* may also remove fleas from his camel. 'Ikrimah reported that Ibn 'Abbas once ordered him to kill the ticks off his camel while they were both in the state of *ihram*. 'Ikrimah, disliked doing so. Then, Ibn 'Abbas commanded Ikrimah to slaughter a camel, which he willingly did. Thereupon Ibn 'Abbas asked him, "Do you know how many ticks you just killed?"

17) **Killing the Five Vicious Animals and Others that are Harmful:** 'Aishah reported that the Prophet (peace be upon him) said: "Five of the animals are vicious and they may be killed in the sacred precincts of Haram: the crow, the kite, the scorpion, the mouse, and the ravenous dog. This is reported by Muslim and Bukhari, who added "(and) the snake."

There is consensus among the scholars that the small crow which eats the seeds, is not included in the category of the above animals. Under the ravenous dog is included one that bites people and frightens them and all other similar vicious animals that attack humans such as the lion, tiger, leopard and wolf. Thus Allah said: "They ask you what is lawful to them (as food). Say: 'Lawful to you, are (all) things good and pure: And what you have taught your trained hunting animals[8] (to catch) in the manner directed to you by Allah'" (Qur'an 5:4). The Hanafi scholars hold, however, that the word "vicious dog" in this case applies only to dogs and wolves.

Ibn Taimiyyah is of the opinion that a *muhrim* may kill any harmful creature that usually causes harm to humans, such as snake, scorpion, mouse, crow, and a vicious dog. He is also permitted to defend himself against whatever harms him, whether animals or people; if they assault him, he should fight them back. The Prophet (peace be upon him) said: "He who is killed while defending his wealth is a martyr, and he who is killed while defending his life is a martyr, and he who is killed while defending his religion is a martyr, and similarly he who is killed while defending his honor is also a martyr."

Ibn Taimiyyah further said: "If fleas and lice bite him, a *muhrim* should cast them out. He may also kill them, and incur no penalty. Casting them out is, however, easier than killing them. Similarly a *muhrim* is forbidden to kill any animal that he sees, such as a lion, a leopard, etc. But, most of the scholars hold that if he should kill one of these animals, he is not required to make any atonement. Looking for lice without feeling any bite, for comfort and pleasure, however, while one is in the state of *ihram*, should be avoided. But if someone does it, he is not required to make an atonement.

[7]Reported by Ahmad, Abu Daw'ud, and Ibn Majah.

[8]These hunting animals include beasts and birds of prey like dogs and falcons.

Chapter Eight

RESTRICTIONS OF *IHRAM*

The Law Giver forbids certain things for a *muhrim* after he dons the *ihram* garb:

1) Sexual intercourse and all matters leading to it such as kissing, touching, or talking with one's wife about intercourse or related matters.

2) Committing sins that cause a man to deviate from the path of obedience to Allah.

3) Disputing, arguing or fighting with companions, servants or others.

The basis of this prohibition are the words of Allah: "Let there be no obscenity nor wickedness nor wrangling in the Hajj" (Qur'an 2:197). Both Bukhari and Muslim reported on the authority of Abu Hurairah that the Prophet (peace be upon him) said: "He who performs Hajj, committing no obscenity, nor wickedness, nor wrangling, will return home free of sins as the day his mother bore him."

4) Wearing any sewn clothes, such as a shirt, hooded robes, cloak, underpants or wrapping anything around the head, a cap or a fez, etc. Likewise one is not permitted to wear clothes dyed with a nice fragrant dye or to wear shoes or sewn slippers.

Ibn 'Umar reported that the Prophet (peace be upon him) said: "A person in a state of *ihram* is not allowed to wear a sewn shirt, a turban, a hooded robe, underpants, a cloth that has been dyed with sweet smelling fragrance (such as saffron), shoes or sewn slippers, unless one is unable to find regular unsewn slippers, then one may wear his shoes provided one cuts them down to the ankles." This was reported by Bukhari and Muslim. There is agreement among the scholars that these restrictions apply to men only.

As for a woman pilgrim, she may wear all of the above. But she is forbidden to use perfumed clothes, a veil that covers the face, and gloves.

Ibn 'Umar reported: "Allah's Messenger (peace be upon him) forbade women pilgrims from wearing gloves, veils, and clothes dyed with saffron or *warse*.[1] Besides these, they may wear anything else, any color, silk clothes,

[1] A sweet smelling plant that was used to dye clothes yellow.

ornaments, trousers, or a shirt or shoes."[2]

Bukhari reported that 'Aishah wore a dress that was dyed with *'usfur*[3] while she was in a state of *ihram*, and she said: "A woman must neither wear a veil to cover her face, nor wear clothes that are dyed with saffron or other fragrant dyeing material." Jabir said: "I do not consider *'usfur* a scent."

'Aishah held that there is no harm for women pilgrims in wearing ornaments, black or rose-colored clothes and shoes.

Bukhari and Ahmad have reported that the Prophet (peace be upon him) said: "A pilgrim woman must neither cover her face nor wear gloves." This proves that a woman in the state of *ihram* should not cover her face and hands. The scholars, however, say that there is no harm if she covered her face with something other than a veil. She may also use an umbrella or similar item as a screen between men and herself. But if she is afraid of tempting others she must cover her face.

'Aishah said: "Men on camels used to pass by us while we were with the Prophet (peace be upon him) and in the state of *ihram*. We would cover our faces with our gowns when they passed by us, and then uncover them again." This is reported by Abu Daw'ud and Ibn Majah. 'Ata, Malik, Ath-Thawri, Ash-Shafi'i, Ahmad, and Ishaq hold that it permissible for women to cover their faces in the state of *ihram*.

A Man Without Garb or Shoes for *Ihram*

A person who has no proper garb and shoes for Hajj may wear whatever is available to him. Ibn 'Abbas reported that Allah's Messenger (peace be upon him) delivered a sermon at 'Arafah saying, "A Muslim (pilgrim) who finds no suitable garb (for *ihram*), may wear trousers, and if he finds no suitable slippers, he may wear shoes."[4] This is reported by Ahmad, Bukhari and Muslim. In Ahmad's narration from 'Ata ibn Dinar we read that Aba Al-Sha'sha informed him that Ibn 'Abbas heard the Prophet (peace be upon him) saying, "He who finds no garb (for *ihram*), but has trousers, he may wear them, and he who finds no (suitable) slippers but has shoes, he may wear them." At this I (Aba Al-Sha'sha) asked him: "And did he say anything about cutting them?" Ibn 'Abbas said: "No."

Ahmad, therefore, holds that a *muhrim* who finds no proper garb or slippers may wear his trousers and shoes, as shown by the hadith of Ibn 'Abbas, without being required to make any atonement for doing so.[5]

The permission to wear one's shoes in case of not having suitable slippers is, according to the majority of scholars, conditional on cutting the shoes down

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[2] Reported by Abu Daw'ud, Al-Baihaqi and Al-Hakim, with a sound chain of authorities.

[3] *'Usfur*: safflower, the red dyestuff prepared from its flower heads.

[4] This is in the case of a man who finds these things are either not available, or he has no extra money to buy them.

[5] Ibn Qayyim also prefers this view.

to the ankles, for this makes shoes similar to slippers. These scholars conclude this from the above mentioned hadith of Ibn 'Umar in which we read: "If he does not find slippers and finds shoes, he should cut them down to the ankles." The Hanafi scholars hold that he who has no garb for Hajj must unsew his trousers before using them as a garb. But he who wears them as they are (without unsewing them) he must make atonement for doing so.

Malik and Ash-Shafi'i, however, are of the view that such a person may wear his trousers as they are, without incurring any penalty, as shown by a hadith of Jabir ibn Zayd from Ibn 'Abbas that the Prophet (peace be upon him) said: "If a person does not find the garb for *ihram*, he may wear trousers; if he does not find slippers, he may wear shoes after cutting them down to the ankles."[6] Such a person must take off his trousers and put on a proper garb when and if he finds one. But if a person finds no proper upper Hajj garment, he should not wear his shirt, for unlike trousers one can do without it.

Contracting a Marriage, or Acting on Behalf of Others, or Acting as a Guardian for Someone

Such a marriage contract is invalid, null and void, and is not binding as reported in a hadith transmitted by Muslim and others. It is reported that 'Uthman ibn 'Affan said: The Prophet (peace be upon him) said: "A *muhrim* must not contract marriage, nor help others contract marriage, nor get engaged for marriage." Malik, Ash-Shafi'i, Ahmad, and Ishaq are also of the same opinion. They hold that it is not permissible for a *muhrim* to contract a marriage and regard any marriage thus contracted as invalid. Tirmidhi has also reported it but without the words "nor get engaged for marriage." Tirmidhi considers this a sound hadith and remarks that the Companions of the Prophet (peace be upon him) practiced it.

Some of the reports that say the Prophet (peace be upon him) "married Maimunah while he was a *muhrim*" are contrary to the report transmitted by Muslim that "he married her while he was no longer in the state of *ihram*."

Tirmidhi said: "There is disagreement concerning the marriage of the Prophet (peace be upon him) to Maimunah, for he married her on his way to Makkah. Some said: 'He married her before he put on *ihram*, but the news of his marriage became known while he was in the state of *ihram*. Later he consummated his marriage with her in Saraf, on the road to Makkah, after he was free from the restrictions of *ihram*.'

Hanafi scholars, however, hold that a *muhrim* may contract a marriage, because in the state of *ihram* what is forbidden is not marriage with a woman, but only the consummation of marriage. Contracting a marriage is permissible, but intercourse is forbidden.

Reported by Nasa'i with a sound chain.

Clipping Nails, Shaving, Cutting or Removing Hair by any Means, from the Head or any Part of the Body

Allah says: "And do not shave your heads until the offering reaches the place of sacrifice."[7]

There is consensus among the scholars that a person in the state of *ihram* is forbidden to clip his fingernails without any genuine excuse. However, if a nail is broken, one may remove it without incurring any penalty.

Removing the hair is permitted, if it becomes bothersome. In such a case one must pay atonement, except for the removal of hair of the eye if it bothers him.[8] Allah the Almighty says: "And if any of you is ill, or has an ailment in his scalp (necessitating shaving), he should in compensation either fast, or feed the poor, or offer sacrifice."[9] This will be discussed later.

Using Perfume on Body or Clothes by a Man or Woman

Ibn 'Umar reported that 'Umar smelled the pleasant smell of perfume coming from Mu'awiyah while the latter was in the state of *ihram*. 'Umar commanded him: "Get back, and wash it off. I have heard the Prophet (peace be upon him) saying: 'A pilgrim must be unkempt and without any perfume." This is reported by Al-Bazzar with a sound chain.

The Prophet (peace be upon him) said: "Wash away the perfume that you are wearing." He repeated this thrice. The body of a deceased *muhrim* should neither be perfumed during the washing, nor any perfume be applied to his shroud.[10] Concerning a *muhrim* dying in the state of *ihram*, the Prophet (peace be upon him) said: "Do not cover his head, nor perfume his body, because on the Day of Resurrection he will be raised with *talbiyah* on his lips." There is no harm, however, if some of the perfume used by a *muhrim* on his body or clothes before entering the state of *ihram* is left over.

It is permissible, however, to smell the things that are not planted for their scent such as apples and quince. These plants are similar to other plants that are not planted for their scent, nor is it extracted from them.

As for the perfume that one may acquire from touching the Ka'bah, there is no harm. Sa'id bin Mansur reported that Salih bin Kaisan said: "I have seen Anas bin Malik in the state of *ihram*, while some perfume from the Ka'bah was rubbed on his Hajj garb, but he did not wash it off." 'Ata said: "Such a person does not have to wash it off, nor does he need to make any atonement." The Shafi'i school holds that if someone purposely did so (applied perfume) or was accidently perfumed, and he could wash it off, but he did not do so, he would be committing a wrong for which he will have to pay a penalty."

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[7] Qur'an 2:196

[8] The Maliki scholars hold there is a penalty for removing hair of the eyes.

[9] Qur'an 2:196

[10] Abu Hanifah, however, holds it is permissible.

Wearing Clothes Dyed with Scented Material

There is agreement among scholars that wearing a Hajj garb dyed with a scented material is disallowed unless it is washed and its smell removed. Nafi'i reported from Ibn 'Umar that Allah's Messenger (peace be upon him) said: "Do not wear (while in the state of *ihram*) any clothes dyed with *warse* or saffron without washing them." This is reported by Ibn Abdul Barr and At-Tahawi.

Wearing scented clothes is disliked for those in leading positions in life, because the masses may imitate them and wear scented clothes which are not permitted. Malik has reported from Nafi' that he heard Aslam, the freed-slave of 'Umar bin Al-Khattab, saying to Abdullah bin 'Umar: "'Umar bin Al-Khattab saw Talhah bin Obaidullah wearing a dyed garb in the state of *ihram*. At this 'Umar said to him: 'O Talhah, what is this garb!' Talhah replied: 'O Chief of the Faithful, this is dyed with a reddish dye (that has no smell).'' 'Umar said: "O People! You are leaders for others. If a layman saw you wearing this garb he would say: "I saw Talhah bin Obaidullah wearing dyed garb in the state of *ihram*. O People! Do not wear any of these dyed garbs."

There is no harm, however, in using some scent in cooking or drinks when its taste, color or smell is eliminated. If a *muhrim* partakes of it, he does not have to make any atonement. The Shafi'i school holds that partaking of such food or drink makes an atonement necessary if the smell persists.

The Hanafi school is of the view that that there is no penalty on him, because he did not partake of it to enjoy its perfume.

Engaging in Hunting

A *muhrim* may fish, eat sea game, or mention any kind of sea food. It is forbidden, however, for a *muhrim* to hunt on land, by killing or by slaughtering. It is also forbidden for a *muhrim* to point it out if it is visible, or indicate its place if it is invisible, or scare it off. It is also forbidden for him to spoil eggs of animals living on land. Buying, selling them, or milking these animals is also forbidden in the state of *ihram*. The Qur'an says: "Lawful to you is the pursuit of water game and its use for food — for the benefit of yourselves and those who travel; but forbidden is the pursuit of land game — as long as you are in the Sacred Precincts or in pilgrim garb."[11]

Eating Game-Meat

A *muhrim* is forbidden to partake of any land game prepared for his sake, at his suggestion or with his help. Abu Qatadah reported that Allah's Messenger (peace be upon him) went for Hajj and they also went with him. The Prophet (peace be upon him) dispatched a group, including Abu Qatadah, and told them:

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[11] Qur'an 5:96

"Follow the seashore until we meet again." All of them except Abu Qatadah were in the state of *ihram*. On the way, they saw a herd of zebras. Abu Qatadah attacked them and killed a female zebra. They all ate of its meat but said: "Is it permissible for us to partake of this land game in the state of *ihram*?" Then they carried the rest of the meat to the Prophet (peace be upon him), and told him the whole story. The Prophet (peace be upon him) said to them: "Did any one of you ask Abu Qatadah to attack the herd, or point it out to him?" They said: "No." He said, "Then, you may eat what is left of the quarry." This is reported by Bukhari and Muslim.

A *muhrim* may eat the meat of a game which is neither killed by him, nor for him, nor pointed out by him to someone else, and in the hunting of which he did not help others.

Al-Muttalib reported from Jabir that Allah's Messenger (peace be upon him) said: "The (eating of) land game is lawful for you in the state of *ihram* provided you yourselves do not kill it but it is killed for you (by someone else)." This is reported by Ahmad and Tirmidhi, who said: "Jabir's hadith is explanatory, but we do not know the narrator who reported it from Jabir to Al-Muttalib."

Some of the scholars follow this principle and consider that eating meat of land game is lawful for a *muhrim* if he does not hunt it, nor is it hunted for his sake. Ahmad, Ishaq, Malik and the majority of scholars hold a similar view. Ash-Shafi'i said: "This is the best and the most correct hadith reported on this issue."

The eating of a land game hunted by a *muhrim* or for a *muhrim* is unlawful for him, whether it is done with or without his permission. But, if someone else who is not in the state of *ihram*, hunted it for himself, and offered or sold some of it to a *muhrim*, he is permitted to partake of it.

Abdur-Rahman bin 'Uthman At-Taimi reported: "We went for Hajj with Talhah bin Obaidullah. While we were in the state of *ihram*, some meat of birds was given to Talhah. He was asleep. Some of us ate of this meat, while others refrained. When Talhah woke up (and was told about this) he approved of those who had eaten it and said: "We used to eat such meat while we were with Allah's Messenger (peace be upon him).[12] Other ahadith forbid a *muhrim* eating the meat of a land game, such as the one reported from As-Sa'ab bin Jathamah al-Laithee which says: "Someone presented meat of a zebra to the Prophet (peace be upon him), while he was in the area known as Al-Abwa or Bawaddan. The Prophet (peace be upon him) declined it, but when he saw marks of disquiet on the presenter's face, the Prophet (peace be upon him) said to him: "We declined (your) present only because we are in the state of *ihram*."

Considering the assumption behind declining the meat — that it was hunted for the sake of those who were in the state of *ihram* — these ahadith can be reconciled. The people who were not in the state of *ihram* meant to hunt for those who were in the state of *ihram*. Ibn Abdul Barr said: "The argument

[12] Reported by Muslim and Ahmad.

of those holding this view is that it is supported by sound ahadith on this subject. When taken in this sense we find no contradiction or disagreement in these ahadith. All *Sunan* should be interpreted in this manner. They do not contradict or disagree with each other when applied in their proper contexts. Ibn Al Qayyim prefers this opinion, and says: "All the traditions of the Companions approve of this course."

Penalty for Violating Sanctity of *Ihram*

A *muhrim* who for a genuine reason is compelled to violate any of the restrictions of *ihram*, like shaving his head, wearing sewn clothes because of cold or heat or something else, with the exception of having sexual intercourse with his spouse,[13] he may do so, but he will have to slaughter a sheep, or feed six needy people,[14] or fast three days to atone for it.

Violation of restrictions of *ihram* other than sexual intercourse does not invalidate Hajj or 'Umrah. Sexual intercourse with one's wife invalidates Hajj or 'Umrah. Abdur Rahman bin Abi Laila reported from K'ab bin 'Ujrah that Allah's Messenger (peace be upon him) passed by him while in Hudaibiyah and said, "Are the lice in your head bothering you?" He said, "Yes." The Prophet (peace be upon him) said, "Shave your head and slaughter a sheep, or fast three days or give a measure of three *sa'* of dates to six needy people."[15] In another report the same narrator says: "Lice infested my hair and bothered me, while I was with Allah's Messenger (peace be upon him) during Hudaibiyah. It got so bad that I was afraid of losing my sight. Then Allah, the Almighty revealed the Qur'anic verse (2:196) "And if any of you is ill or has an ailment in his scalp (necessitating shaving) (he should) in compensation either fast or feed the poor or offer sacrifice." Upon this Allah's Messenger (peace be upon him) called me and said: "Shave your head, or fast three days or feed six poor persons one *farq*[16] of raisins, or slaughter a sheep." So I shaved my head and slaughtered a sheep."

With regard to penalty Ash-Shafi'i makes no distinction between a *muhrim* who is compelled to violate *ihram* by some genuine need, and one who does so without any genuine cause. In either case penalty must be paid to atone for violation. Abu Hanifah holds that a person who violates the *ihram* restrictions without genuine cause must offer a sheep to compensate for his violation, if he can afford it. A person who cannot afford this does not have to make any atonement as mentioned above.

Clipping Some Hair Only

'Ata reported that if a person in the state of *ihram* pulled off three hairs or more, he must slaughter a sheep in compensation for that. This was reported by Sa'id bin Mansur. Ash-Shafi'i also reported from 'Ata that if a *muhrim* pulled one hair he must give one *mudd*[17], and for two hairs two *mudds* to the needy, but if he pulled more than two hairs then he must offer a sheep in sacrifice.

Rubbing Oil on the Body in the State of *Ihram*

It is said in *Al Musawwa* that according to Abu Hanifah if a *muhrim* massages any part of his body with pure oil or vinegar he must slaughter a sheep in expiation for it. The Shafi'i school is of the view that if a *muhrim* used unperfumed oil on his head or beard, then he must slaughter a sheep, but there is no penalty if he uses it on any other parts of his body.

Wearing Sewn Clothes or Applying Perfume by Mistake or in Ignorance

A *muhrim* who wears a sewn garment or uses perfume by mistake or through forgetfulness or ignorance of their inadmissibility incurs no penalty.

Ya'la bin Umayyah reported that a man came to the Prophet (peace be upon him) while he was at Al-Ji'ranah. The man was wearing a cloak and both his head and beard were dyed and perfumed. He said: "O Allah's Messenger! I declared my intention for an 'Umrah, but I did what you see!" The Prophet (peace be upon him) said to him: "Wash your hair and beard, and take off your cloak, and do in your 'Umrah what you should do in your Hajj."[18]

Bukhari reported that 'Ata said: "If a *muhrim* uses perfume or wears sewn clothes, forgetfully or unknowingly, he incurs no penalty, nor is he required to make any atonement." This is different however, from the case of killing a game — unknowingly or forgetfully — for which a *muhrim* must slaughter a sheep in compensation, because it involves a monetary guarantee. In matters relating to security of property, knowledge and ignorance, forgetfulness and intention, are all the same, as it is in the cases of guarantee pertaining to people's property.

Sexual Intercourse Nullifies Hajj

Ali, 'Umar and Abu Hurairah issued a verdict concerning a man who had sexual intercourse with his wife in the state of *ihram*. In this verdict they said: "They both must complete their Hajj, but must also make another Hajj the

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[17] A dry measure.

[18] Reported by the Group except Ibn Majah.

following year and slaughter an animal."

Abu Al-'Abbas At-Tabari said: "If a *muhrim* had sexual intercourse with his spouse before the first *tahallul** from *ihram*, regardless of whether it was before or after 'Arafah, it will invalidate his Hajj. Such a person, however, must continue performing the rest of his Hajj rites. He must slaughter a camel and make up for his Hajj the following year."

If the wife was in the state of *ihram* and she accepted what her husband did, she must continue the performance of Hajj, but must also make it up the following year, and besides, according to the majority of the scholars, must also offer a sacrifice. According to 'Ata some scholars hold that the husband and wife may offer only one sacrifice.

In his commentary on hadith, *Sharh Al-Sunnah*, Al-Baghawi said — and this is the more famous of the two sayings of Ash-Shafi'i — that a man is required to pay the penalty for sexual intercourse on a day in Ramadan. Such a couple should keep apart[19] when they go to make the next Hajj (in compensation for the first one) lest they should repeat what they did before.

If such a man is unable to slaughter a camel, then he may slaughter a cow. If he cannot afford it, then he may slaughter seven (7) sheep. And if he is even unable to do that, then he may estimate the value of the camel, and distribute food of that amount among the poor and needy people, so that every person receives one *mudd*. If he is unable to do so, then he should fast a day for each *mudd* thereof.

The scholars said: If a *muhrim* had sexual intercourse with his spouse before the Day of 'Arafah, then his Hajj will be null and void, and he will have to offer in sacrifice a sheep or one-seventh of a she camel. But if he did so after the Day of 'Arafah, his Hajj will not be invalidated, but he will have to slaughter a camel.

In case such an act is committed by a *qarin* pilgrim—one combining Hajj with 'Umrah—he must make up for this Hajj *qarin* with another Hajj *qarin* and offer another sacrifice just as the pilgrim performing Hajj only does.

Sexual intercourse, if it happens after the first break in *ihram* (following throwing pebbles and shaving one's head at Mina), does not invalidate Hajj nor does it require Hajj to be repeated later. This is the view of most of the knowledgeable people. But others hold that making up Hajj and offering a sacrifice is mandatory. This is the opinion of Ibn 'Umar, Al-Hasan, and Ibrahim. There is also disagreement as to what animal is to be offered in sacrifice, a sheep or a camel?

Ibn 'Abbas, 'Ikrimah, and 'Ata are of the view that it must be a camel: this is also one of the opinions of Ash-Shafi'i. According to a second opinion of Ash-Shafi'i, a sheep must be offered in sacrifice. Malik agrees with this second opinion.

A *muhrim*, who had a wet dream or ejaculated by thinking about or looking

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[19] Doing so is mandatory according to Ahmad and Malik, but the Hanafi and Shafi'i schools take it as a recommendation.

(*) That is, removal or termination of restrictions of *ihram*.

at a woman, incurs no penalty, according to the Shafi'i school.

These scholars, however, hold that if one kisses or touches his spouse with a sexual desire, he must offer a sheep in sacrifice regardless of whether he ejaculates or not. Ibn 'Abbas holds that such a person incurs penalty and he must slaughter a sheep.

Mujahid said: "A man came to Ibn 'Abbas and said to him: 'Such and such a woman came to me with all her make up while I was in the state of *ihram*. I could not control myself, and ejaculated. (What should I do?)' Ibn 'Abbas laughed until he fell on his back and said: 'You are very lustful. There is no harm. But you must slaughter a sheep. Your Hajj is complete'." This was reported by Sa'id Ibn Mansur.

Chapter Nine

KILLING A GAME IN THE STATE OF *IHRAM*

Allah says: "O You Who Believe, kill not game while in the Sacred Precincts or in Pilgrim garb. If any of you doeth so intentionally, the compensation is an offering, brought to the Ka'bah, of a domestic animal equivalent to the one he killed, as adjudged by two just men among you; or by way of atonement, the feeding of the indigent; or its equivalent in fasts; that he may taste of the penalty of his deed. Allah forgives what is past: For repetition, Allah will exact from him the penalty. For Allah is Exalted, and Lord of Retribution."[1]

Ibn Kathir said: "The majority holds that as far as the penalty is concerned there is no difference between one who deliberately kills a game and he who does so forgetfully." Az-Zuhri said: "The Qur'an imposed a penalty only on the intentional killer of the game, while the sunnah includes those who kill a game forgetfully."

In other words the Qur'an imposes a penalty on an intentional killer for his sin, as is indicated by the words of Allah "...that he may taste the penalty of his deed."

The sunnah of the Prophet (peace be upon him) and the judgments of his Companions show that he who kills a game by mistake must also pay a penalty. Killing a game is a destructive act, and therefore, whether it is inflicted intentionally or forgetfully, makes little difference, though a deliberate killer is guilty of a sin, whereas one who does so by mistake commits no sin.

In *Al-Musawwa*, it is stated: "In the opinion of Abu Hanifah, the verse: 'If any of you doeth so intentionally, the compensation is an offering, brought to the Ka'bah, of a domestic animal equivalent to the one he killed' means that one who kills a game must compensate it by sacrificing something similar to or equivalent in price to be decided by two just men." It may be a domestic animal that is brought to the Ka'bah for sacrifice, or else one may feed the needy.

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[1] Qur'an 5:95

In Ash-Shafi'i's opinion it means that, "Anyone who kills a game while in the Hajj garb must pay a penalty for his act by sacrificing an animal similar in shape and form and two just men must make sure that it is equivalent in value to the game killed. Or else, one must make an atonement or fast for an equivalent number of days."

Some Precedents from 'Umar and Subsequent Generations

Abdul Malik bin Qurair reported from Mohammad bin Sirin that a man came to 'Umar bin Al-Khattab and said: "A friend of mine and I ran after a wild game while we were in pilgrim garb. We killed a deer. What is our atonement?" 'Umar told a man next to him: "Come, you and I must judge together." Then he gave his verdict and told the man to sacrifice a goat in compensation." The man left saying, "This is the Chief of the Faithful, who cannot pass a judgment concerning the killing of a deer!" 'Umar heard the man's remark, and he called him back and asked him: "Have you read Surah Al-Ma'idah (of the Qur'an)?" The man said: "No." 'Umar asked further: "Do you know this man who participated in the judgment with me?" The man said, "No." 'Umar said: "Had you told me that you have read Surah Al-Ma'idah, I would have made you ache from beating." Then he added: "Allah, the Exalted One, says in His Book: 'If any of you doeth so intentionally, the compensation is an offering, brought to the Ka'bah, of a domestic animal equivalent to the one he killed, as adjudged by two just men among you.' And this man (who judged with me) is Abdur-Rahman bin 'Awf'."

Earlier generations of Muslim scholars gave verdicts that a camel is to be sacrificed for an ostrich, and a cow for a zebra, a stag or a deer, and similarly a sheep for a woodchuck, a pigeon, a turtledove, a mountain quail, and certain other birds. A male sheep is to be sacrificed for a hyena, a goat for a deer, a four month old goat for a rabbit, a baby goat (kid) for a fox, and a four month old goat should be sacrificed for killing a jerboa.

When One is Unable to Pay the Penalty

Sa'id bin Mansur reported that commenting on the words of Allah "the compensation is an offering, brought to the Ka'bah, of a domestic animal" Ibn 'Abbas said: "If a *muhrim* kills an animal, an assessment should be made and then he should make compensation. If he has an animal of an equivalent value for the game, he must slaughter it and give its meat in charity, but if he does not have an animal of an equivalent value, he should assess the value of the game and then give away food for that amount. In case one does not have money for it, then, one must fast one day for each half *sa'* of food. If a *muhrim* killed a game, he must slaughter a similar animal according to the judgment of two just men. If one killed a deer or similar animal, one must slaughter a sheep in Makkah. If one cannot buy a sheep, then, one must feed six poor people, and if one cannot afford that, then one must fast three days.

If one killed a male adult deer or similar animal, he must slaughter a cow, otherwise one must feed twenty needy people, or fast for twenty days. If an ostrich or zebra or similar animal is killed, one must fast thirty days. This is reported by Ibn Abi Hatem and Ibn Jarir. They also added to this the words: "The food given to the needy must be sufficient to satisfy their hunger."

How to Feed and Fast

Malik said: "The best thing that I heard concerning this matter is that the price of the killed game must be assessed, or the food that can be bought with that amount. Then the killer must give to every needy person one *mudd* of food or else he must fast an identical number of days, one day for each *mudd* (of food). He must estimate the number of the needy that could be fed with that food. One must fast ten days if the money could feed ten poor people, fast twenty days, if twenty people could be fed for that amount, and so forth whatever their number, even sixty or more."

Joint Killing of a Game

If a group of people participated in killing a game intentionally, they are to pay one penalty only, because Allah says "the compensation is an offering of a domestic animal." Ibn 'Umar was asked about a group of people who had jointly killed a hyena while they were in the state of *ihram*. Ibn 'Umar told them, "Slaugther a ram." They asked, "Should we slaughter a ram for each person of our group?" He said, "No. Slaughter only one ram on behalf of all of you."

Killing a Game Within the Sacred Precincts and Cutting Trees

It is forbidden for both a *muhrim* and a *non-muhrim* to kill the game in the sacred precincts of Haram, or to frighten it, or to cut its trees that are not planted by the people, or to cut tender plants, including thorns, except for the plants called *Idhkher* and *Sana* which may be cut, pulled or weeded out.

Ibn 'Abbas reported that on the day of the conquest of Makkah the Prophet (peace be upon him) said, "Verily, this is a Sacred City, its thorns and its plants must not be cut, its wild game must not be frightened, and none is allowed to pick up lost articles unless one knows its owner (in order to return it to him).'" 'Abbas added, "Except (for the plant) Idhkher" which is used by blacksmiths and burned in households." The Prophet (peace be upon him) excluded this plant, saying, "Except *idhkher*."[2]

Ash-Shawkani said: "Qurtubi said: 'Jurists hold that the trees forbidden to be cut are the wild trees or plants that are not planted or grown by people. As to the trees grown by men there is disagreement among scholars. The

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[2] Bukhari

majority holds it permissible to cut trees grown by men.

Ash-Shafi'i said: "Cutting any tree or plant is punishable." Ibn Qudamah also holds this view. There is also disagreement on punishment for cutting the first kind of trees.

Malik holds there is no penalty for it, although one who does this commits a sin. 'Ata opined: "Such a person should seek Allah's forgiveness." Abu Hanifah is of the opinion that such a person must compensate for it by sacrificing an animal equivalent in value to the damage caused by him. Ash-Shafi'i said: "For cutting a big tree one must slaughter a cow in compensation, and for a smaller tree a sheep."

The scholars, however, make an exception in making use of broken branches, fallen trees, or leaves. It is permissible to use these. Ibn Qudamah said: "There is agreement on the permissibility of using herbs, flowers, grass and tender plants grown by men within the sacred precincts of Haram."

The author of *Al Rawdah al-Nadiyyah* says: "The dwellers of the Haram, who are not in the state of *ihram*, incur sin, but no penalty for killing a game or cutting a tree within the Sacred Precincts." As for those who are in the state of *ihram*, they must pay the penalty prescribed by Allah for killing a game. But for cutting a tree in Makkah they incur no penalty, because the evidence in this regard is not strong enough. The hadith which states "If one cuts a big tree, he must slaughter a cow in compensation" is not a sound hadith. What is related from earlier scholars and their opinions on this issue, cannot be taken as conclusive by themselves.

The author continues: "In short, there is no connection between prohibition of killing game and cutting trees, and the obligation of paying a penalty or giving away an amount of equivalent value in atonement. Prohibition, however, is clear from what is forbidden. The penalty or equivalent value can be applied only when there is clear evidence to establish it. But the only evidence we have in this matter is the words of Allah "...Kill no game while in the Sacred Precincts or in pilgrim garb..." In this verse only penalty is mentioned; nothing else is essential (*wajib*).

Chapter Ten

SACRED PRECINCTS OF MAKKAH (*HARAM MAKKAH*)

The Sacred Precincts of Makkah include the area around Makkah, marked by stones a meter high, on all roads leading to, or from Makkah.

On the northern side *Haram Makkah* extends to Tan'im, six kilometers from the Sacred Mosque, and on the southern side to Adah, twelve kilometers from Makkah. On its eastern side, sixteen kilometers away, lies al-Ji'ranah, while on its northeastern border lies the valley of Nakhlah, which is fourteen kilometers from Makkah. On the western border lies Al-Shmaisi,[1] fifteen kilometers from Makkah.

Muhibbuddin At-Tabari reported from Az-Zuhari from Obaidullah bin Abdullah bin 'Utba and said: "Prophet Ibrahim (peace be upon him) put up markers for the Sacred Precincts as shown to him by Gabriel (peace be upon him)." These markers were undisturbed until the time of Qusaiy, who renewed them. After that the Prophet (peace be upon him), in the year of the conquest of Makkah, sent Tamim bin Osaid al-Khozai'i to refurbish them. Later 'Umar appointed four men from Quraish, Muhrama bin Nawfal, Sa'id bin Yarbu', Howaiteb bin Abdil-Uzza, and Azhar bin Abd-Auf, to renew these markers. Subsequently, first Mu'awiyah and then Abdul-Malik refurbished them.

Sacred Precincts of Madinah (*Haram Madinah*)

In the Sacred Precincts of Madinah killing a game and cutting its trees is prohibited as it is in the case of *Haram Makkah*. Jabir bin Abdullah reported that Allah's Messenger (peace be upon him) said: "Ibrahim (peace be upon

[1] This place used to be called Al-Hudaibiya. It was here that the Prophet (peace be upon him) took the famous pledge — *bai'at ridwan* — from his Companions. The Battle of Al-Hudaibiya is named after it.

him) made Makkah *Haram* (sacred), and I declare Madinah and what lies between its two black tracts *Haram*. No game (within this area) is to be killed, nor any *adah* - a thorny plant - growing therein is to be cut."[2]

Ali reported that concerning Madinah the Prophet (peace be upon him) said: "Its plants must not be cut, its game must not be frightened, articles lost in it must not be picked up except by someone making announcement to find the owner, nor is any man to bear arms for fighting in it. Its trees must not be cut, except when (required for) feeding one's camels."[3] Both Bukhari and Muslim report that the Prophet (peace be upon him) said, "Madinah is *Haram* (Sacred) and its Sacred Precincts extend from 'Eer to Thowr."[4] Another agreed upon hadith reported from Abu Hurairah says, "The Prophet (peace be upon him) declared the area between the two black tracts of Madinah as sacred and then extended it to about twelve miles around Madinah." The Prophet (peace be upon him) permitted the residents of Madinah to cut trees for making plows, carts and other necessary tools and equipment. He also permitted them to cut its grass to feed their animals. Ahmad reported from Jabir bin Abdullah that the Prophet (peace be upon him) said: "The area between two black tracts of Madinah is a *Haram* (a sanctuary). No tree must be cut (within this area) except for use as fodder for animals."

Unlike this the residents of Makkah, who have sufficient supply for their animal feed, are not permitted to cut even the grass to feed their animals. The residents of Madinah are not self-sufficient and are therefore allowed to use trees and grass for their animals.

But killing the game or cutting off the trees in the sanctuary of Madinah carries no penalty nor requires any compensation, although doing so is a sinful act.

Anas reported that the Prophet (peace be upon him) said, "Madinah is a sanctuary from such and such a place to such and such a place, and (within this area) its trees shall not be cut, nor any (unlawful) act committed, and whoso does so on him shall rest the curse of Allah, His angels and the entire mankind."[5]

It is permissible to pick up and use branches of a fallen tree within this sanctuary. Sa'ad bin Abi Waqqas reported that while on his way to his palace at 'Aqiq he found a slave cutting off a tree or hitting and shaking it for leaves. Sa'ad seized whatever the slave had gathered. The owners of the slave went to Sa'ad and asked him to return to them what he had seized from the slave. Sa'ad said, "Allah forbid that I should return something which Allah's Messenger has given me as a gift." And saying this he refused to return it to them.[6]

The Prophet (peace be upon him) said, "If you find anyone hunting a wild game within the sacred bounds of Madinah you may seize it from him."[7] This

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[2] Muslim.

[3] Reported by Ahmad and Abu Daw'ud.

[4] 'Eer is a mountain at the miqat for Madinah, and Thowr is a mountain near Uhud on the north.

[5] Bukhari

[6] Muslim.

[7] Abu Daw'ud, and Al-Hakim, who considers it a sound hadith.

is reported by Abu Daw'ud, and Al-Hakim, who considers it a sound hadith.

Is There Any Other Sanctuary Besides these Two?

Ibn Taimiyyah said, "There is no other sanctuary in the whole world besides these two, not even the Al-Aqsa Mosque of Jerusalem, nor any other, even though some ignorant people call them Haram al-Maqdis and Haram al-Khalil. By consensus *Haram Makkah* is the only *Haram* (sanctuary). About Madinah there is no such consensus. A majority of scholars, however, hold that Madinah is also a sanctuary, as mentioned in ahadith on this subject.

Muslim scholars disagree about a third sanctuary, namely, Wuja, a valley of Al-Ta'if. Ash-Shafi'i regards it a sanctuary. Ash-Shawkani agrees with him, but the majority of the scholars disagree and do not consider it a sanctuary."

Excellence of Makkah Over Madinah

The majority of scholars believes Makkah has preference over Madinah.

Abdullah bin 'Adi bin Al-Hamra reported that he heard Allah's Messenger (peace be upon him) saying, "By Allah! You (O Makkah) are the best of Allah's land, and most beloved to Him. Had I not been driven away from you, I would have never departed (from you)."[8] Ibn 'Abbas said: "Allah's Messenger (peace be upon him) addressed Makkah saying, 'How nice a place you are! You are the most beloved place to me! If my people had not driven me away from you I would have never departed (from here) to live somewhere else."[9]

Entering Makkah without *Ihram*

One may enter Makkah without putting on a garb of *ihram* if one does not intend to make Hajj or 'Umrah. One may be a frequent visitor to Makkah as a wood-cutter, a grass cutter, a water carrier, or a hunter, etc., or not a frequent visitor such as a merchant or a visitor. Regardless of whether one enters it in a state of security or fear, all such people may enter Makkah without *ihram* if they do not intend to perform Hajj or 'Umrah. This is Ash-Shafi'i's opinion which, of his two views, is the more accurate one, and is also supported by his companions.

Muslim reported that Allah's Messenger (peace be upon him) entered Makkah wearing a black turban and without an *ihram*. It is said about Ibn 'Umar that he returned after travelling part of the way and entered Makkah without *ihram*.

Both Ibn Shihab and Ibn Hazm hold entering Makkah without the *ihram* garb permissible. The Prophet (peace be upon him) set the markers (*Mawaqit*) around Makkah only for those who intended to perform Hajj or 'Umrah.

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[8] Ahmad, Ibn Majah and Tirmidhi.

[9] Tirmidhi considers it a sound hadith.

Wearing *ihram* is not compulsory for those who pass these markers if they do not intend Hajj or 'Umrah. Allah and His Prophet (peace be upon him) did not forbid entering Makkah without *ihram*. To insist on it is obligating people to which they are not obligated by Shari'ah.

Encouraged Acts for Entrants to Makkah and the Sacred Mosque

It is desirable for those intending to visit Makkah to do the following:

1) To take a bath. It is reported that Ibn 'Umar used to take a bath before entering Makkah.

2) To spend the night at Dhi Tuwa, a valley in the direction of Al-Zaher. The Prophet (peace be upon him) used to spend the night there. Nafi' said: "Ibn 'Umar used to do the same."[10]

3) To enter Makkah from the upper hill called "Koda". The Prophet (peace be upon him) entered Makkah from the direction of Al-Mu'allah. Whoever is able to follow this path, should do so, but one commits no sin if one does not do it.

4) To hurry to the Sacred Mosque as soon as one deposits one's belongings in a safe place. One must enter the Sacred Mosque from the gate known as Bab Bani Shayba — Bab us-Salam — and say humbly and sincerely:

"*A'udhu billahil azeem wa biwajihil kareem wa sultanihil qadeem minash shaitanir rajeem. Bismillah allahumma salli 'ala muhammadin wa alihi wa salam, Allahumma ghifirli zunubi waftah li abwaba rahmatika*

أعوذ بالله العظيم ، وبوجهه الكريم ، وسلطانه القديم من الشيطان الرجيم ، بسم الله ، اللهم صلّ على محمد وآله وسلم، اللهم اغفر لي ذنوبي وافتح لي أبواب رحمتك.

(I seek refuge with Allah the Supreme, I seek refuge with His Honor and Eternal Glory, with His Everlasting Authority, from the cursed devil. O Allah, Bless Muhammad and the family of Muhammad! O Allah! Forgive my sins and open Your doors of mercy for me)."

5) To raise one's hands on first sight of the Ka'bah and say:

"*Allahumma zid hadhal bayti tashrifan wa ta'zeeman wa takriman wa muhabatan wa zid min sharfihi wa karamihi mimman hajjahu au 'itamarahu tashrifan wa takriman wa ta'zeeman wa birran*

اللهم زد هذا البيت تشريفاً ، وتعظيماً ، وتكريماً ، ومهابة ، وزد من شرّفه وكرّمه ممن حجه ، أو اعتمره ، تشريفاً وتكريماً وتعظيماً ، وبراً.

(O Allah! increase this House's honor, dignity, respect and grant all those who

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[10] Reported by Bukhari and Muslim.

come to it for Hajj or 'Umrah honor, dignity, respect and righteousness.)" And say,

"*Allahumma antas salam, wa minkas salam, fahayyina rabbana bis-salam*

اللهم أنت السلام ، ومنك السلام ، فحيّنا ربنا بالسلام.

(O Allah! You are the Peace, from You is the Peace. O Allah! Greet us with the Peace)."

6) Then head to the Black Stone and kiss it quietly. If kissing is not possible, then one may touch it with a hand and kiss the hand, and if even this is not possible then one may just point to it with a hand.

7) Then begin *tawaf* (circumambulation) starting from the Black Stone.

8) One does not have to perform salutation prayer to the Sacred Mosque, because *tawaf* of Ka'bah is its salutation. If, however, it is time for the prescribed daily prayers, then one must offer them with the congregation. The Prophet (peace be upon him) said, "When a prescribed prayer is in progress then no other prayer except the prescribed prayer is valid." Similarly, if one is afraid to miss a prescribed prayer then one must offer it first before anything else.

Chapter Eleven

TAWAF - CIRCUMAMBULATION AROUND KA'BAH

Performing *Tawaf*

1) One must begin *tawaf* (circumambulation) with one's right shoulder uncovered, and the Ka'bah on one's left side, while facing the Black Stone, kissing it, if possible, or touching it with one's hand, or pointing in its direction, and saying,

Bismillahi wallahu akbar allahumma imanan bika wa tasdiqan bikitabika wa wafa'an bi 'ahdika wa ittiba'an li sunnati nabbiyyi sallalahu 'alaihi wa sallam

بسم الله والله أكبر ، اللهم إيماناً بك ، وتصديقاً بكتابك ، ووفاءً بعهدك ، واتباعاً لسنة النبي صلى الله عليه وسلم.

(In the Name of Allah. Allah is the Greatest. O Allah! [I begin this *tawaf*] believing in You, affirming the truth of Your Book, fulfilling my covenant with You, and following the example of the Prophet, peace be upon him)."

2) Jogging lightly through the first three rounds around Ka'bah is encouraged. One should walk fast, keep close to Ka'bah as much as possible, and take short steps. In the next four rounds one should walk at normal pace. If one is unable to jog or get closer to Ka'bah, because of overcrowding around it, one may perform one's *tawaf* in any way possible.

Touching the Yemeni corner (*Ar-Ruknul Yemeni*) is encouraged, and so is kissing or touching the Black Stone in each of the seven rounds of *tawaf*, if possible.

3) Making remembrance of Allah and supplicating to Him as much as possible is also encouraged. For this purpose one may choose any supplications that one feels comfortable with, without restricting oneself to any supplications

or repeating what others (around one may be saying). There are no set supplications prescribed for this purpose. The supplications that some people take as prescribed for various rounds of *tawaf* have no authenticity. No such supplications are reported from the Prophet (peace be upon him). One should pray for oneself, for one's family and one's Muslim brethren for anything good in this life or in the hereafter.

Some of the supplications that are reported in this regard are given below:

1) Upon facing the Black Stone the Prophet (peace be upon him) said:

"*Allahumma imanan bika wa tasdiqan bikitabik wa wafa'an bi'ahadika wa itba'an lisunnati nabbiyyika bismillahi wallahu akbar*[1]

اللهم إيماناً بك ، وتصديقاً بكتابك ، ووفاءً بعهدك ، واتباعاً لسنة نبيك ، بسم الله والله أكبر.

(O Allah! I begin this *tawaf* believing in You, affirming the truth of Your Book, fulfilling my covenant with You, and following the example of Your Prophet, peace be upon him. In the Name of Allah! Allah is the Greatest!)"

2) Upon commencing the *tawaf* the Prophet (peace be on him) said:

"*Subhan Allah wal hamdu lillah wa la ilaha illallah wallahu akbar wa la haula wa la quwwata illa billah*

سبحان الله والحمد لله ولا إله إلا الله والله أكبر ولا حول ولا قوة إلا بالله.

(Glory to Allah, All praise is due to Allah, there is no god but Allah. Allah is the Greatest. There is no might nor power except with Allah)."[2]

3) Upon reaching the Yemeni corner the Prophet (peace be upon him) said:

"*Rabbana aatina fid dunniyya hasanatan wa fil akhirati hasanatan wa qina 'adhaban nar*

ربنا آتنا في الدنيا حسنة وفي الآخرة حسنة وقنا عذاب النار.

(Our Lord! Grant us good in this world and good in the hereafter, and save us from the punishment of the Fire)."[3]

4) Ash-Shafi'i said: "I like that each time on passing the Black Stone one should say *Allahu Akbar*, and while jogging one should supplicate and say:

Allahumma ij'alhu hajjan mabruran wa dhanban maghfuran wa Sa'iyan

اللهم اجعله حجاً مبروراً وذنباً مغفوراً وسعياً مشكوراً.

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[1] This is reported directly from the Prophet (peace be upon him).

[2] Ibn Majah

[3] Reported by Abu Daw'ud, and Ash-Shafi'i from the Prophet (peace be upon him) on the authority of 'Umar.

mashkuran

(O Allah! Let this be an accepted Hajj, with sins forgiven, and a well appreciated effort)." And during each round of *tawaf* he would say:

رب اغفر وارحم واعف عما تعلم وأنت الأعز الأكرم ، اللهم آتنا في الدنيا حسنة وفي الآخرة حسنة وقنا عذاب النار.

"*Rabbighfir warham wa'fu 'ama ta'lam wa antal a'azzul akram allahumma aatina fid dunniyya hasanatan wa fil aakhirati hasantan wa qina 'adhaban nar.*

(O my Lord, Forgive us, and have mercy upon us, pardon our sins that You only know, You are the Most Honored and Dignified. O Allah! Grant us good in this world and good in the hereafter, and protect us from the torment of the fire)."

It is reported about Ibn 'Abbas that while walking between the Yemeni corner and the Black Stone he used to say:

اللهم قنّعني بما رزقتني وبارك لي فيه ، واخلف علي كل غائبة بخير.

"*Allahumma qanni'ni bima razaqtani wa barik li fihi wakhluf 'alayya kulla gha'ibatin bikhair.*

(O Allah! Let me be satisfied with what you provided me, O Allah! Bless it for me. O Allah! Substitute every good thing that I missed with something good."[4]

Reciting the Qur'an in *Tawaf*

A person may recite the Qur'an while performing *tawaf*, because the purpose of *tawaf* is to remember Allah and the Qur'an is a reminder and a remembrance of Allah. 'Aishah reported that the Prophet (peace be upon him) said: "*Tawaf* (circumambulation) around the House of Allah, walking between Safa and Marwah, and throwing the pebbles at the *Jamarahs* are instituted for the remembrance of Allah."[5]

Excellence of *Tawaf*

Ibn 'Abbas reported that Allah's Messenger (peace be upon him) said, 'Every day Allah descends a hundred and twenty folds of His Mercy to His slaves who perform Hajj (to His House). Sixty-fold of these are specified for people performing *tawaf*, forty-fold for those who pray there, and twenty for those who look at the Ka'bah."

5) Upon completing one's *tawaf*, one must offer a two rak'ah prayer at

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Reported by Sa'id bin Mansur and al-Hakim.

Reported by Abu Daw'ud and Tirmidhi who considers it a sound hadith.

the Station of Ibrahim, reciting the verse of the Qur'an (2:125) "And take the Station of Abraham as a place of prayer." This will complete one *tawaf* around the Ka'bah.

This *tawaf* is called *Tawafal Qudum* (Arrival Circumambulation), if a pilgrim is performing a *mufrid* (single) Hajj. Otherwise it is called *Tawaf al Tahayya* (Circumambulation of Greeting), or *Tawafad Dakhul* (Circumambulation of Entry). It is neither an essential condition nor an obligation. For a pilgrim performing *Hajj Tamattu'* (combining Hajj and 'Umrah with a break), or performing *Hajj Qiran* (combining Hajj and 'Umrah without a break), it is *Tawafal 'Umrah* ('Umrah Circumambulation), and after having performed it a pilgrim does not need to perform a *Tawafal Tahayya* or *Tawafal Qudum*. Such a pilgrim must, however, complete his 'Umrah making a *Sa'i* (seven rounds of walking) between the hills of Safa and Marwah.

Kinds of *Tawaf*

1) *Tawafal Qudum* (Arrival Circumambulation),

2) *Tawafal Ifada* (Return from Mina Circumambulation),

3) *Tawafal Wida'* (Farewell Circumambulation). We will deal with it separately at its place.

4) *Tawafat Tatawwu'* (Supererogatory Circumambulation).

The pilgrim should make full use of his stay at Makkah performing as much supererogatory *tawaf* and prayers in the Sacred Mosque as possible. A prayer in it is better than a hundred thousand prayers in any other mosque. In a supererogatory *tawaf* one may not uncover one's shoulder or jog. It is sunnah to perform a *tawaf* of Ka'bah as a salutation to the Sacred Mosque upon entering it, unlike other mosques where on entering them a two rakah prayer is offered as a salutation to the mosque.

Prerequisites of *Tawaf*

1) **Cleanliness** from all major or minor physical impurities.[6] Ibn 'Abbas reported that the Prophet (peace be upon him) said: "*Tawaf* is (similar to) a prayer ... but Allah, the Almighty, has made talking for one (engaged in *tawaf*) permissible. So, whoso speaks (while performing *tawaf*) should say only good things."[7]

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[6] The Hanafi school holds that cleanliness from impurities is not a necessary condition, but an obligation which, if not found, may be compensated by a sacrifice. Thus if somone performs a *tawaf* in a state of minor impurity his *tawaf* will be valid, but he will have to offer a sheep in sacrifice. If such a person is *junub* or *ha'id* his or her *tawaf* will still be valid, but he or she will have to sacrifice a camel as a penalty and repeat the *tawaf* as long as he or she is in Makkah. As to the cleanliness of clothes or body, the Hanafi school takes it as a sunnah only.

[7] Tirmidhi and Ad-Daraqutni. Also reported by Al-Hakim, Ibn Khuzaimah and Ibn Al-Sakan as a sound hadith.

'Aishah reported that the Prophet (peace be upon him) entered her apartment and found her crying. He asked her, "Has your monthly course set in?" That is, are you weeping because you are menstruating? She replied, "Yes." Upon this the Prophet (peace be upon him) said, "This is a matter inscribed by Allah, the Almighty, for all daughters of Adam. You should perform all the rites of Hajj, except *tawaf* (circumambulation) — which you should perform after taking a complete bath (when you are clean)."[8] 'Aishah also said: "The very first thing that the Prophet (peace be upon him) did upon arriving in Makkah was to perform *wudu* and then make a *tawaf* of Ka'bah."[9]

There is consensus that if one suffers from an illness that causes one to be continuously impure physically, such as leaking urine or continuous bleeding in the case of a menstruating woman, one may perform *tawaf* without incurring any penalty or need for making compensation. Malik related that a woman came to Abdullah bin 'Umar seeking a verdict. She said, "I came to the Sacred Mosque to perform *tawaf*, but when I arrived at the door of the Mosque I started bleeding. So I went away and waited until I became clean, and then returned to the Sacred Mosque. But again when I arrived at the door I started bleeding. I went back and returned when I was clean. But when I arrived at the door of the Mosque I started bleeding again. (What should I do?)" Ibn 'Umar said, "That bleeding is a spurt from the devil. You should take a bath, place some pads on your private parts, and then perform your *tawaf*."

2) **Covering One's *'Awrah***[10] (private parts) properly. Abu Hurairah reported: "During the Hajj for which Abu Bakr was appointed the leader by Allah's Messenger (peace be upon him), before the Farewell Hajj, Abu Bakr sent me with a group to announce the Day of *Nahr* - the 10th of Dhul-Hijjah - and to proclaim: 'No idolater nor any naked person shall be allowed to perform *tawaf* of the Ka'bah after this year."[11]

3) **One Must Complete Seven Rounds of the Ka'bah.** Thus, if one leaves even a single step in any of the seven rounds that round will not be counted. If one is doubtful as to the number of rounds performed, one must assume the least number of rounds, and then complete the seven rounds. In cases where one completes a *Tawaf* and then finds oneself not so sure about the number of rounds performed, one incurs no penalty nor is required to do anything.

4) **One Must Begin and End One's Tawaf at the Black Stone.**

5) **When Making *Tawaf* the Ka'bah Should Be to the Left of the Person Performing *Tawaf*.** Circumambulating with the Ka'bah on one's right is invalid. Jabir (may Allah be pleased with him) reported: "When Allah's Messenger arrived in Makkah, he went to the Black Stone, kissed it, and then walked on its right side. He jogged three rounds and walked

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[8] Reported by Muslim.

[9] Bukhari and Muslim.

[10] The male should cover from the navel to the knee, and the female all her body except her face, hands and feet. (Tran.)

[11] Bukhari and Muslim.

[12] Muslim.

the remaining four."[12]

6) **The *Tawaf* Must Be Performed Outside and Around the Ka'bah.** Thus if someone were to walk within the Hijr[13] his *tawaf* will not be valid, because both Hijr and Al-Shazarwan[14] are a part of the Ka'bah. Allah has commanded us to circumambulate around the Ka'bah and not inside it, saying: "...and circumambulate the Ancient House."[15] It is preferable, however, to remain close to the Ka'bah, if one can do so easily.

7) **The *Tawaf* (circumambulation) should be immediately followed by *Sa'i* (between Safa and Marwah).** A short break in between the two, however, may be made. A longer interval because of a genuine excuse will also do no harm and is permissible. The Hanafi and Shafi'i schools hold that such a continuance (of *Sa'i* immediately after *tawaf*) is Sunnah of the Prophet.

Similarly there is no harm if one performs *tawaf* in parts and with long intervals in between, and even if it is done without any genuine reason. Such a person may continue the remaining rounds and complete his *tawaf.*

Sa'id bin Mansur reported from Humaid bin Zaid that he said: "I saw 'Abdullah bin 'Umar go three or four times around the Ka'bah, and he then sat down for a rest, while his servant fanned him. Then he resumed his *Tawaf* from where he had left it. Both Shafi'i and Hanafi schools hold that if one's ablution is void during the *tawaf,* one should redo it and resume the *tawaf* to complete its remaining rounds, regardless of the length of the interval.

It is reported that once Ibn 'Umar heard the call for prayer while he was performing his *tawaf.* He interrupted his *tawaf* and offered the prayers with the congregation. Then he resumed his *tawaf* from where he had left it.

'Ata is reported to have given a verdict concerning a person who had to interrupt his *tawaf* in order to participate in a funeral prayer, saying that such a person may resume his *tawaf* and complete the remaining rounds.

Sunnah of *Tawaf*

It is Sunnah to perform certain acts in *tawaf* as given below:

1) Facing the Black Stone at the start of the *tawaf* while uttering a *takbir* (*Allahu-Akbar*), and a *tahlil* (*La ilaha illahlah*), and raising one's hands as they are raised in prayers, and if possible touching it with both hands and kissing it quietly, or placing one's cheek on it. Otherwise, one may touch it with one's hand and kiss the hand, or touch it with something, and then kiss it, or if even that is not possible, one may just point to it with a stick, etc. as is mentioned

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[13] Commonly known as Hijr Isma'il,and situated to the north of Ka'bah, it is surrounded by a semi-circular wall. Of this, only an area of six cubits (three metres approximately) extending from the Ka'bah is its part.

[14] Al-Shazarwan is the construction contiguous to the Ka'bah to which are fixed the rings holding the Ka'bah cover.

[15] Qur'an 22:29.

in some of the ahadith given below.

Ibn 'Umar said: "Allah's Messenger (peace be upon him) faced the Black Stone, touched it, and then placed his lips on it and wept for a long time." 'Umar also wept for a long time. The Prophet (peace be upon him) said: 'O 'Umar, this is the place where one should shed tears.'"[16]

It is reported by Ibn 'Abbas that 'Umar bent down towards the Black Stone and said: "By Allah! I know that you are a mere stone, and if I had not seen my beloved Prophet (peace be upon him) kissing you and touching you I would have never done so." The Qur'an says: "You have indeed in the Messenger of Allah a beautiful pattern (of conduct)."[17] This was reported by Ahmad and others in slightly different words.

Nafi' said, "I have seen Ibn 'Umar touching the Black Stone with his hand, and then kissing his hand and saying: 'Ever since I saw the Prophet (peace be upon him) doing this, I have never failed to do that.'"[18]

Sowayd bin Ghaflah said: "I have seen 'Umar kissing the Black Stone and touching it." He further said: "I know that the Prophet (peace be upon him) was especially very particular about it."[19] Ibn 'Umar reported that Allah's Messenger (peace be upon him) used to come to Ka'bah, touch the Black Stone and then say:

بسم الله والله أكبر

Bismillahi wallahu akbar

(In the name of Allah, Allah is the Greatest.)"[20] Muslim has reported on the authority of Abu Tufail that he said: "I have seen the Prophet (peace be upon him) making *tawaf* around the Ka'bah and touching it with a stick and then kissing the stick."

Bukhari, Muslim and Abu Daw'ud reported that 'Umar approached the Black Stone and kissed it. Then he said: "I know that you are a mere stone that can neither harm nor do any good. If I had not seen the Prophet (peace be upon him) kissing you, I would have never kissed you."

Al-Khatabi said: "This shows that abiding by the Sunnah of the Prophet (peace be upon him) is binding, regardless of whether or not we understand its reason or the wisdom behind it."

Such information devolves obligation on all those whom it reaches, even if they may not fully comprehend its significance. It is known, however, that kissing the Black Stone signifies respect for it, recognition of our obligation toward it, and using it as a means of seeking Allah's blessings. Indeed Allah has preferred some stones over others, as He preferred some countries and cities, days and nights, and months over others. The underlying spirit of all this is unquestioning submission to Allah.

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[16] Reported by Al-Hakim, who considers it a sound hadith with a sound chain of authorities.
[17] Qur'an 33:32.
[18] Reported by Bukhari and Muslim.
[19] Muslim.
[20] Ahmad.

In some ahadith which say that "the Black Stone is Allah's right hand on earth," we do find, however, a plausible rationale and justification for this statement. In other words whosoever touches the Black Stone he pledges allegiance to Allah, as it were, by giving his hand into the hand of Allah, just as some followers do pledge their fealty to their kings and masters, by kissing and shaking hands with them.

Al-Muhallib said: "The hadith of 'Umar refutes the assertions of those who say that 'The Black Stone is Allah's right hand on earth wherewith He shakes the hands of His slaves.'" God forbid that we should ascribe any physical organs to Allah. The commandment to kiss the Black Stone is meant to test and to demonstrate palpably as to who obeys and submits. It may be compared with the command to Iblis to bow to Adam.

We have no definite evidence, however, to believe that any of the stones used in building the Ka'bah originally (by Ibrahim and Isma'il), is still in existence today excepting the Black Stone.

Crowding at the Black Stone

There is no harm in crowding around the Black Stone so long as no harm is caused to other people. Ibn 'Umar used to struggle hard to get through the crowd in order to reach the Black Stone, so much so that sometimes (he was struck on the face and) his nose would bleed. The Prophet (peace be upon him) said to 'Umar: "O Abu Hafs! You are a strong man. Do not crowd others around the Black Stone. You may hurt a weak person. But if you find an opportunity to reach it in order to kiss it or touch it, do it. If not, then say '*Allahu-Akbar*' and continue (your *tawaf*)."[21]

1) *Al-Idtiba'* (Uncovering one's shoulder)

It is reported by Ibn 'Abbas that the Prophet (peace be upon him) and his companions declared their intention to perform 'Umrah from al-Ji'ranah by putting on their *ihram* (Hajj garb) but leaving their right shoulders uncovered, bringing their *ihram* up from under their right armpits while covering the left shoulder.[22] The majority of scholars holds a similar view and claims that doing so is helpful in *ramal* (jogging) while making a *tawaf*. Malik is of the opinion, however, that doing so is not commended, for it is not a known (practice), nor did he see anyone doing so. There is consensus that it is undesirable in the *tawaf* prayer (*salatul tawaf*).

2) *Ramal*[23] or Jogging

Ibn 'Umar reported that Allah's Messenger (peace be upon him) jogged from the Black Stone to the Black Stone three times, and walked the remaining

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[21] Reported by Ash-Shafi'i in his Sunan.

[22] Reported by Ahmad and Abu Daw'ud.

[23] *Ramal* means walking fast, vigorously moving the shoulders and taking small steps, giving a sense of strength and energy.

[24] Muslim and Ahmad.

four rounds.[24] If a person does not jog in the first three rounds, then he is not required to make it up in the last four rounds. *Ramal* (Jogging) and *idtiba'* (uncovering one's right shoulder) are prescribed for men only while making *tawaf* for 'Umrah. In case of a pilgrim performing Hajj, *tawaf* is always followed by *Sa'i* (walking between Safa and Marwah). Shafi'i school holds that a pilgrim, who does make *idtiba'* (i.e., uncovers his right shoulder) and performs *ramal* (i.e., jogs), while making *Tawaf al Qudum* on arrival and then making *Sa'i* between Safa and Marwah, is not required to repeat *idtiba'* and *ramal* in his *Tawaf al Ifada* (after returning from 'Arafah). If one does not perform *Sa'i* after making *tawaf* and postpones it till after *Tawaf az-Ziarah* (*Tawaf* of Visit), he should make *idtiba'* (uncover his right shoulder) and perform *ramal* (jog) while making *Tawaf az-Ziarah.*

Women are not obligated to jog or uncover their right shoulder, because they must properly cover themselves. Ibn 'Umar said: "Women are not obligated to jog around the Ka'bah nor while making *Sa'i* between Safa and Marwah."[25]

Wisdom Behind *Ramal*

What is the wisdom behind *ramal*? It is reported by Ibn 'Abbas that when the Prophet (peace be upon him) and his companions came to Makkah, they were weakened by the fever in Yathrib. Thereupon the idolators said, "A people weakened with fever have come to you and they are afflicted with evil." Allah, the Almighty, informed His Prophet (peace be upon him) about their saying. So he commanded them to jog through the first three rounds of *tawaf* around the Ka'bah, and to walk between its two corners. When the idolaters saw the Muslims jogging, they said: "Are those the people you said are weak because of the fever? They are stronger and sturdier than us!" Ibn 'Abbas added: "The Prophet (peace be upon him) did not command them to jog all through the seven rounds in order not to overexert themselves." This was reported by Bukhari, Muslim, and Abu Daw'ud, whose wording is given here.

'Umar was of the opinion that jogging be stopped as there was no longer any need for it after the Muslims had become strong and powerful. But he decided, however, to leave it (in its original form) so that the future generations of Muslims could share a form and a feeling similar to that observed and felt by early Muslims. Muhibbuddin At-Tabari said: "Sometimes certain instructions are prescribed in the religion for a specific reason, and later even though that specific reason no longer exists yet the instructions still remain valid."

Zaid bin Aslam reported from his father that he said: "I heard 'Umar ibn Al-Khattab saying: 'Why jog around the Ka'bah today? Why uncover our shoulders (in *tawaf*)? Allah has made Islam strong and powerful, and banished disbelief and the disbelievers, yet we shall never abandon what we used to do in the time of the Prophet (peace be upon him)."

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[25] Reported by Al-Baihaqi.

Touching the Yemeni Corner

This is based on the statement of Ibn 'Umar in which he said "I never saw the Prophet (peace be upon him) touching any other parts of Ka'bah except the two corners: The Black Stone and the Yemeni corner." And he added, "No matter how hard and difficult the circumstances, I have not failed to touch these two corners — the Yemeni Corner and the Black Stone — ever since I saw the Prophet (peace be upon him) doing so."[26]

A pilgrim making *tawaf* touches these two corners, and no others, because of their special merits and excellence. The Black Stone is distinguished by two things: 1) it is placed on the foundations raised by the Prophet Ibrahim (peace be upon him), and 2) it marks the beginning as well as the end of *tawaf*. The Yemeni corner is directly opposite to it and, like the Black Stone, it is also laid on the foundations raised by Ibrahim.

When Ibn 'Umar was told about 'Aishah's statement that "Some of the Hijr Isma'il is part of the Ka'bah" he said: "I think that 'Aishah heard that from the Prophet (peace be upon him). I think that the Prophet (peace be upon him) never failed to touch them while making a *tawaf*. These two, however, are not at the foundations of the House, and the people circumambulate around the Hijr because of that.[27]

The Muslim community, however, is in agreement concerning the desirability of touching these two Yemeni corners. A person making *tawaf* of Ka'bah may not touch the other two corners. Ibn Hibban has reported in his *Sahih* that the Prophet (peace be upon him) said: "The Black Stone and the Yemeni corner cause the sins to be forgiven."

Offering a Two Rak'ah Prayer After *Tawaf*

It is sunnah to offer a two rak'ah prayer after completing the *tawaf* at the Station of Ibrahim (peace be upon him), or at any other place in the Sacred Mosque, regardless of whether it is a supererogatory *tawaf* or obligatory one (as in Hajj or 'Umrah).

Jabir reported that "When the Prophet (peace be upon him) came to Makkah, he went around the Ka'bah seven times, then went to the Station of Ibrahim and recited the verse (Qur'an 2:125): "And take of the Station of Abraham a place of prayer." He prayed behind it, and then went to the Black Stone and kissed it."[28]

In this two rak'ah prayer, it is sunnah to recite *Surah Al-Kafirun*, in the first rak'ah, and *Surah Al-Ikhlas* in the second rak'ah, after reciting Al-Fatihah.[29] These two rak'ahs may be offered at any time of the day and night including

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[26] Reported by Bukhari and Muslim.

[27] Abu Daw'ud.

[28] Reported by Tirmidhi who considers it a sound hadith.

[29] Reported by Muslim and others.

the prohibited times.

Jubair bin Mut'im reported that the Prophet (peace be upon him) said. "O Bani Abd Manaf! Do not prevent anyone from performing *tawaf* around the Ka'bah. One may pray (in the Sacred Mosque) any time during the day or night."[30] Ash-Shafi'i and Ahmad hold this view.

Though it is sunnah to offer this two rak'ah prayer after the *tawaf* in the Sacred Mosque, it may also be offered outside the Mosque. Umm Salamah reported that she performed a *tawaf* around the House riding, but she did not offer the two rak'ah prayer until she had left the Mosque.[31] Malik reported from 'Umar that he offered these two rak'ahs at Dhi Tuwa valley. Bukhari also has reported that 'Umar prayed (these two rak'ahs) outside the Sacred Mosque.

If one offered a prescribed prayer after the *tawaf* then he need not offer this two rak'ah prayer. The Shafi'i school holds this view, which is also in accordance with the well known position of Ahmad. The Maliki and the Hanafi schools are of the opinion that these two rak'ahs must be offered and no other prayer can replace them.

Passing in Front of Worshippers in the Sacred Mosque

It is permissible to offer prayer in the Sacred Mosque while the people, male and female, pass in front of the worshipper. There is no harm in it, and it is one of the special characteristics of the Sacred Mosque. Kathir bin Kathir bin Al-Mutalib bin Wida'ah reported from some of his family members and from his grandfather that he said: "I saw the Prophet (peace be upon him) offering prayer in the Sacred Mosque in the area adjacent to Bani Sahm while people passed in front of him but he did not place any *sutrah* (protection) in front of him." Suffiyan bin 'Uyainah said, "There was no partition between him and the Ka'bah."[32]

Men and Women Performing *Tawaf* Together

Ibn Juraij reported: "'Ata told me that when Ibn Hisham forbade women from performing *tawaf* along with men he asked him, 'How dare you prevent them while the wives of the Prophet (peace be upon him) performed *tawaf* along with other men?' He added: 'I asked him:"Did they do so before or after the commandment to observe veil?" He said: "They did so after the revelation of the commandment to veil." I said: "How could they intermingle with men?" He said: "They did not intermingle with men. 'Aishah used to perform *tawaf* keeping apart from men and without intermingling with them. A woman asked her, "O Mother of Believers! Shall we touch the Black Stone and kiss it? 'Aishah

[30] Reported by Ahmad, Abu Daw'ud, and Tirmidhi who regards it a sound hadith.
[31] Bukhari.
[32] Reported by Abu Daw'ud, Nasa'i, and Ibn Majah.
[33] Bukhari.

said: "Get away from here, and she refused to join her.[33] They used to go disguised at night and perform *tawaf* with men, but when they entered the Mosque, they would wait and go in when the men left.

Women may touch and kiss the Black Stone when there is an opportunity and no men are around. It is reported that 'Aishah said to a woman, "Do not crowd with others at the Black Stone, but if you find a chance, touch and kiss it, otherwise if there is crowding, then say a *takbir* (Allah is the Greatest) when you are opposite to it, and make your *tawaf* and do not cause any harm to anyone."

Making a *Tawaf* while Riding

A person may, even if he is able to walk, perform *tawaf* while riding, provided there is a valid reason for doing so.

Ibn 'Abbas reported that during the Farewell Pilgrimage the Prophet (peace be upon him) performed *tawaf* while riding his camel, and touched the Black Stone with a stick (that he carried).[34]

Jabir reported that during the Farewell Pilgrimage the Prophet (peace be upon him) performed *tawaf* and made *Sa'i* between Safa and Marwah while riding on his mount, so as to show it to the people, to draw their attention, and (to give them an opportunity) to ask him any questions (they had), and the people were crowding around him."

Intermingling of a Leper with Others in *Tawaf*

Malik reported from Ibn Abi Mulaikah that 'Umar bin Al-Khattab saw a woman afflicted with leprosy performing *tawaf* with others. He said to her, "O maidservant of Allah! Do not harm others. Why do you not stay in your home?" She did so and stayed at her home. Upon the death of 'Umar, a man visited her and said, "The one who forbade you to circumambulate the Ka'bah has passed away. You may now go and perform *tawaf*." She replied, "I shall not obey a person in his life, and disobey him after his death."

Desirability of Drinking Zamzam Water

Upon completion of the seven rounds of the *tawaf*, and after offering the two rak'ahs by the Station of Ibrahim, it is encouraged to drink water from the well of Zamzam.

Both Bukhari and Muslim confirm that the Prophet (peace be upon him) drank of Zamzam water, and said, "It is blessed (water); it is food for the hungry, and a healing for the sick." It is reported that the angel Gabriel had washed the heart of the Prophet (peace be upon him) with its water on the Night Journey.

At-Tabarani in his *Al-Kabir*, and Ibn Hibban have reported from Ibn 'Abbas that the Prophet (peace be upon him) said: "The best water on earth

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[34] Reported by Bukhari and Muslim.

[35] Al-Mundhri said that the chain of narrators of this hadith is sound.

is the water of Zamzam. It is food for the hungry, and a healing for the sick."[35]

Etiquette of Drinking Zamzam Water

A person drinking Zamzam water should intend and hope for healing, blessings and whatever is best for him in this life and in the hereafter. The Prophet (peace be upon him) said, "The water of Zamzam is (good) for whatever it is intended."

Suwaid bin Saeed reported: "When the water of Zamzam was brought to Abdullah bin Al-Mobarak I saw that he drank a little, then turning his face towards the Ka'bah supplicated, 'O Allah! Ibn Abi Al-Mawali told us on the authority of Mohammad bin Al-Monkader, who narrated from Jaber that the Messenger of Allah (peace be upon him) said, "The water of Zamzam is good for whatever one intends (while drinking it)." I intend to drink this water to spare myself from going thirsty on the Day of Judgment.' Then he drank the rest of the water."[36]

Ibn 'Abbas reported that the Prophet (peace be upon him) said, "The water of Zamzam is good for whatever one intends (while drinking it). If you drink it seeking healing, Allah will give you healing. If you drink it to satisfy your hunger, Allah will satisfy your hunger. If you drink it to quench your thirst, Allah will quench your thirst. Zamzam is a well dug by the angel Gabriel by which Allah quenched the thirst of Isma'il." This was reported by Ad-Daraqutni and Al-Hakim who added, "And if you drink it seeking refuge with Allah, Allah will give you refuge."

It is desirable that one should drink Zamzam water in three breaths, face the Qiblah, drink as much as possible, praise and thank and supplicate to Him as Ibn 'Abbas did. Abu Molaikah reported: "A man came to Ibn 'Abbas. He asked the man, 'Where are you coming from?' The man replied: 'I am coming from the well of Zamzam.' Ibn 'Abbas asked him, 'Did you drink of it as you are supposed to?' "The man asked: 'O Ibn 'Abbas, how am I supposed to drink it?' Ibn 'Abbas replied: 'When you drink its water you should face the direction of the Qiblah, remember Allah, drink it in three breaths, drink as much as you can, and praise and thank Allah when you finish drinking.' The Prophet (peace be upon him) said, "A major difference between us and the hypocrites is that they do not drink their fill of the Zamzam water'."[37]

Ibn 'Abbas used to supplicate Allah, whenever he drank Zamzam water:

"Allahumma inni as'aluka 'ilman nafi'an wa rizqan wasi'an wa shifa'an min kuli da'in

اللهم إني أسألك علماً نافعاً ، ورزقاً واسعاً ، وشفاءً من كل داء.

(O Allah! Grant me beneficial knowledge, bountiful provision, and a healing

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[36] Reported by Al-Baihaqi, and Ahmad with a sound chain of authorities.

[37] Reported by Ibn Majah, Ad-Daraqutni and Al-Hakim.

from every disease)."

The Origin of Zamzam Well

Explaining the origin of Zamzam Ibn 'Abbas said: "When Hajar reached the (mountain) of Marwah in search of water for her baby son Isma'il and herself to quench their thirst, she heard a sound, and said to herself, "Quiet." She again heard the sound, whereupon she said, "I have heard you. Help me, if you can." All of a sudden she found an angel at the place where now Zamzam is. He either dug it with his heel or touched it (the ground) with his wing and a spring of water appeared. Hajar encircled the water with soil. She took some water in a container she had, and water kept bubbling up unchecked."

Ibn 'Abbas reported that the Prophet (peace be upon him) said, "'May Allah shower His mercy on Isma'il's mother. Had she left it untouched, or (the narrator is not sure) the Prophet said, had she not drunk of its water, the Zamzam would have turned into a clearflowing spring.' He added, 'So she drank the water and gave some to her son.' The angel said to her, 'Fear no loss, because this is the site of Allah's House, which this boy and his father shall build. Allah never permits His servant to be lost. At the site of the House was a hill that was split by flood waters running down its right and left.'"

Excellence of Supplications at Al-Multazim[38]

After drinking the water of Zamzam, it is recommended that one should make special supplications at Al-Multazim. Ibn 'Abbas reported that he used to stand between the Black Stone corner and the Ka'bah door and said, "The space between the Black Stone and the door of the Ka'bah is called 'Al-Multazim' and whoever stands here and supplicates to Allah, he gives him whatever he supplicates for."[39]

'Amr bin Shu'aib reported from his father, and he from his father that he said, "I have seen the Prophet (peace be upon him) placing his face and chest against Al-Multazim."

(Some scholars including Bukhari say Al-Hateem is Al-Multazim. To support their view they cite the hadith of the Night Journey in which the Prophet (peace be upon him) said "While I was asleep in (the area called) "al-Hateem" or also called "al-Hijr...")

Entering Ka'bah and Hijr Isma'il and its Excellence

Ibn 'Umar reported that the Prophet (peace be upon him) entered the Ka'bah along with Usamah bin Zaid, and Uthman bin Talhah and closed its door behind them. When they came out, Bilal informed me that the Prophet (peace be upon him) offered a prayer inside the Ka'bah between the two Yemeni

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[38] Al-Multazim is the part of Ka'bah between its door and the Black Stone.

[39] Al-Baihaqi.

[40] Bukhari and Muslim.

corners."[40] This has led some scholars to conclude that entering Ka'bah and offering prayer inside it is sunnah. Others, however, say that even if it is a sunnah, it is not a part of Hajj rites, as stated by Ibn 'Abbas when he said: "O people, entering the Ka'bah is not one of the rites of Hajj."[41]

For a pilgrim unable to enter the Ka'bah it is recommended that he should enter the Hijr Isma'il and offer prayer there, because it is a part of the Ka'bah. Ahmad reported on sound authority from Sa'id bin Jubair that 'Aishah said: "O Prophet of Allah! All your family except me have been inside the Ka'bah!" The Prophet (peace be upon him) said to her, "Send for Shaibah[42] so that he should open the door for you." She did as he had told her to do. Shaibah said, "We could never open it, during the night during the pre-Islamic days, nor during the days of Islam. The Prophet (peace be upon him) told 'Aishah, "Pray inside the Hijr Isma'il. It is a part of Ka'bah, but your people left it out while rebuilding the Ka'bah and did not include it in its structure."

[1] Reported by al-Hakim with a sound chain of authorities.

[2] His name was Ibn 'Uthman bin Talhah; he was the key-bearer of the Ka'bah.

Chapter Twelve

SA'I BETWEEN SAFA AND MARWAH

Historical Background

Ibn 'Abbas said: 'Prophet Ibrahim (peace be upon him) brought Hajar, his wife, and her son Isma'il (peace be upon them), whom she was still nursing, and left them at (the site of) the House of Allah under a tree above the Zamzam. Makkah at that time was a place where there was neither water nor any dweller. He left a bag of dates and a container of water for them. Then Ibrahim (peace be upon him) turned to go away. Isma'il's mother said to him, "O Ibrahim! Where are you going? And who are you leaving us to in this valley without a companion or a thing?" She repeated this several times but he did not respond. At last she asked him, "Has Allah commanded you to do so?" He answered, 'Yes." Thereupon she said, "Then He will not let us perish!"[1] In another narration we read: "She asked him, 'Who are you leaving us to?' He answered, To Allah' whereupon she responded, 'I am satisfied,' and turned back."

Ibrahim left and when he reached a mountain pass where he could no longer see them, he turned his face toward the Ka'bah and with his hands raised, supplicated, "O Our Lord! I have made of my offspring to dwell in a valley without cultivation by your Sacred House; in order Our Lord, that they may establish regular prayer: so fill the hearts of some among men with love towards them, and feed them with fruits, so that they may give thanks!"[2]

Hajar sat under the tree with her baby next to her. She drank from her water container hanging nearby, and nursed her baby, until all the water she had was gone, her milk dried out. Her son grew hungrier and hungrier. She could hardly bear to look at him. She went and stood at Safa — the hill nearest to her. She looked down the valley to see if there was someone around to help. She could see no one. So, she climbed down Safa and reached the valley. She

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1 Bukhari.
2 Qur'an 14:37.

struggled hard, crossed the valley and reached Marwah. She stood on Marwah, and looked around. Still she could see no one around. She repeated this seven times. Ibn 'Abbas added, "The Prophet (peace be upon him) said: 'It is (to commemorate this walk) that pilgrims walk between Safa and Marwah.'"

Its Legal Status

There is disagreement among scholars concerning the legal status of *Sa'i* between Safa and Marwah. These scholars may be divided into three groups:

A) 'Aishah, and from among the Companions Ibn 'Umar, and Jabir hold that *Sa'i* of Safa and Marwah is an essential part of Hajj rites. Malik, Ash-Shafi'i, and Ahmad (according to one narration from him) also hold a similar opinion.

Thus if a pilgrim fails to perform *Sa'i* his Hajj will be void and his offering of a sacrifice will not be enough to make up for it. These scholars based their opinion on the following:

i) Az-Zuhari reported from 'Urwah that he said: "I asked 'Aishah about it and recited to her the verse "Behold! Safa and Marwah are among the symbols of Allah. So if those who visit the House in the season or at other times, compass round them, there is no sin in them."[3] Then I said to her, "By Allah, I see that (in light of this verse) there is no sin on a person who does not perform *Sa'i* between them!" 'Aishah said to me, "O my nephew! That is the worst interpretation you have put on this verse. It does not mean what you say. If it had meant what you say it means, then the wording should have been 'should not compass them round.' This verse was revealed concerning the Ansar, who used to worship the idol Manat in an area called Al-Mushallal. They feared they were committing a sin by walking between Safa and Marwah.

"After they embraced Islam they asked the Prophet (peace be upon him) about it. At this Allah revealed this verse. The Prophet (peace be upon him) has by his practice affirmed authenticity of the *Sa'i* between these two hills and no one has the authority to abandon it.[4]"

ii) Muslim has reported that 'Aishah said, "The Prophet (peace be upon him) and the Muslims performed *Sa'i* between Safa and Marwah. Thus, it was established as a sunnah without which, by my life, no Hajj is valid."

iii) Habaibah, daughter of Abi Tajrah, of Banu Abdud Dar, said, "I, along with other women of Quraysh, went into the House of Abi Hussain, and watched the Prophet (peace be upon him) performing *Sa'i* between Safa and Marwah, while his lower garment was wrapped around his waist, because of the intensity of his striving. I saw his knees, and heard him saying, 'Perform *Sa'i* (between Safa and Marwah), because Allah has prescribed it for you.'"[5]

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[3] Qur'an 2:158.

[4] Bukhari.

[5] Reported by Ibn Majah, Ahmad, and Ash-Shafi'i. Its chain of narrators include Abdullah bin al Mu'mal, who is weak, but there are other narrations with different chains that reinforce it.

iv) Like *tawaf* around the Ka'bah, *Sa'i* is also an essential rite both of Hajj and 'Umrah.

B) Ibn 'Abbas, Anas, Ibn Al-Zubair, Ibn Sirin, and Ahmad — according to one narration from him — hold that *Sa'i* is sunnah, which if not performed, no penalty is incurred by the person neglecting it.

i) These scholars, in support of their standpoint, refer to the Qur'anic verse 2:158, which states there is no sin if a person neglects it. In other words it is not obligatory. That it is only sunnah is also obvious from the fact that Safa and Marwah are described as "the symbols of Allah."

It is reported that the *Mushaf* of Ubaiy and Ibn Mas'ud read " ..if those who visit the House in the season or at other times, should not compass them, it is no sin in them." This is not the Qur'anic text, but it does convey an important piece of information and an interpretation of the Qur'anic text.

ii) Furthermore, *Sa'i* between Safa and Marwah is a rite that consists of a certain number, but it is not related to the House of Allah, and like throwing the pebbles it is not an essential rite.

C) Abu Hanifah, Thawri and Hasan hold that *Sa'i* between Safa and Marwah is an essential rite (*wajib*), but it is not obligatory for Hajj and 'Umrah. Therefore, if a pilgrim failed to perform it, he must pay a penalty (slaughter a sheep in sacrifice).

The author of *Al-Mughni* prefers this opinion, and says:

1) This is preferable, because the argument of those holding it to be *wajib* supports the absoluteness of the obligation rather than the principle that anything needed to fulfill an obligation (*wajib*) is also obligatory (*wajib*).

2) 'Aishah's statement in this respect is different from what other Companions of the Prophet (peace be upon him) have narrated.

3) The hadith of the daughter of Abi Tajrah has among its narrators one called Abdullah bin Al-Mu'mal, who is controversial. According to him it is obligatory, whereas it is only *wajib*.

4) The verse quoted above was revealed concerning those people who feared they would be committing a sin if they walked between Safa and Marwah as they used to do in the days of *Jahiliyya* while two idols were set on top of Safa and Marwah.

Prerequisites for *Sa'i*

For *Sa'i* to be valid and acceptable, it must meet the following conditions:

1) Should be performed after *tawaf*.

2) Must be performed in seven rounds.

3) Must begin from Safa and end at Marwah.

4) Must be performed in *Al-Mas'a*, the path between Safa and Marwah, because the Prophet (peace be upon him) did so, and moreover he explicitly told us: "Take your (religious) rites from me." Therefore, a *Sa'i* performed

without performing *tawaf* prior to it, or one that starts from Marwah and ends at Safa, or is performed in a place other than the specified area (between Safa and Marwah), is void.[6]

Climbing the Safa Mountain

Climbing on op of Safa or Marwah is not a necessary condition for *Sa'i*, but one must walk back and forth the full distance between these two points. In case any part of this distance is left untraversed the *Sa'i* will remain incomplete.

Continuity of *Sa'i* Between Safa and Marwah

Continuity in *Sa'i* is not a necessary condition for its validity.[7] Thus if a pilgrim stops *Sa'i* (between Safa and Marwah) for some reason, e.g., it is prayer time and he joins the congregation, in all such cases he may resume his *Sa'i* when the reason forcing him to stop is no longer there, and begin from where he had left it.

It is reported that Ibn 'Umar used to perform *Sa'i* between Safa and Marwah, and whenever he had to answer the call of nature, he would stop, relieve himself, make ablution, and then go back and resume his *Sa'i*,[8] because the continuity in *Sa'i* is not required.

The author of *Al-Mughni* observes: "Ahmad says there is no harm in delaying the *Sa'i* after performing *tawaf* until one is rested, or postponing it until evening. 'Ata and Al-Hasan also see no harm in someone making *tawaf* early in the day and postponing the *Sa'i* between Safa and Marwah until evening. Al-Qasim and Sa'id bin Jubair followed this, because the continuity of *Sa'i* is, as such, not a condition, much less the continuity of *tawaf* and *Sa'i*.

Sa'id bin Mansur reported that Saudah, the wife of 'Urwah bin al-Zubair performed *Sa'i* between Safa and Marwah and because she was a big and heavy woman, she completed it in three days.

Purification For *Sa'i*

Most scholars are of the opinion that purification is not necessary for performing *Sa'i* between Safa and Marwah, in light of what the Prophet (peace be upon him) said to 'Aishah once when she menstruated. He told

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[6] The Hanafi school holds that *Sa'i* after *tawaf*, and beginning it at Safa and ending it at Marwah, are two essential conditions for the validity of Hajj. Thus if someone made a *Sa'i* before making *tawaf*, or begins his *Sa'i* at Marwah, and ends it at Safa, his *Sa'i* is valid, but he is required to slaughter an animal.

[7] Malik holds, however, that continuity of *Sa'i*, without a long break, is a necessary condition for it.

[8] Reported by Sa'id bin Mansur.

her, "You may perform all rites (of Hajj) as other pilgrims do, except performing *tawaf* around the Ka'bah which you may do after you are clean and no longer menstruating."[9] 'Aishah and Umm Salamah said, "A woman who performs the *tawaf*, offers a two rak'ah prayer (by the Station of Ibrahim), and then finds that her period has started, may perform *Sa'i* between Safa and Marwah."[10] It is preferable, however, to be in a state of complete purity while performing various rites of Hajj or 'Umrah, because cleanliness is commendable in Islam.

Riding and Walking During the *Sa'i*

Sa'i may be performed either riding or walking, but walking is preferable. In the hadith narrated by Ibn 'Abbas we find that the Prophet (peace be upon him) performed *Sa'i* on foot, but when the overcrowding increased and he found that the people wanted to know more (about their religion), he rode his mount so that they could see him and ask him (whatever they wanted to ask).

Abu At-Tufail asked Ibn 'Abbas, "Tell me about the *Sa'i* between Safa and Marwah — is it (really) sunnah to perform it riding, for your people claim it is?" Ibn 'Abbas replied, "They are right, but they are wrong." Then he added, "The people crowded around the Prophet (peace be upon him), saying 'This is (Prophet) Muhammad, this is (Prophet) Muhammad. Even young girls came out of their houses to see him. So when the people overcrowded he mounted on his camel, because the people were not beaten back (to make way for the Prophet)."

Muslim reported that walking in *Sa'i* is better, and riding, though permitted, is disliked. Tirmidhi has reported that a group of knowledgeable people disliked that someone should perform *tawaf* of the House and make *Sa'i* between Safa and Marwah riding on a mount without any genuine excuse. This is the opinion of Ash-Shafi'i.

The Malikites hold that a person who performs *Sa'i* between Safa and Marwah riding without any genuine reason, must repeat it, if there is still time for him to do so. And if there is no time, then he must offer a sacrifice in penalty, because it is *wajib* (obligatory) for him if he is able to walk. Abu Hanifah holds a similar view. According to these scholars the Prophet (peace be upon him) performed the *Sa'i* riding because of the large number of people around him.

Jogging Between the Two Green Markers

Walking between Safa and Marwah is commended, except between the two markers where jogging is encouraged. The hadith of the daughter of Abi Tajrah tells us that the Prophet (peace be upon him) jogged so hard that his

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[9] Muslim.

[10] Reported by Sa'id bin Mansur.

lower garment was wrapped around his body.

Thus jogging between these two markers is preferable, but walking is also permissible between them. Sa'id bin Jubair reported: "I have seen 'Umar walking between Safa and Marwah." Then he added, "If you want to, you may walk, because I have seen the Prophet (peace be upon him) walking. So, if you want to jog, you may jog, because I have seen the Prophet (peace be upon him) jogging, but I am an old man."[11] This applies to a male pilgrim only. As for a woman, she is not required to walk fast between these two points. She should walk at her normal pace. Ash-Shafi'i has reported that once 'Aishah saw some women walking fast whereupon she said to them, "You should follow our example. You are not obligated to jog (while performing *Sa'i*)".

Making Supplications on Safa and Marwah

Climbing Safa and Marwah and making supplications for one's material and spiritual well being and welfare is encouraged. During the supplications one should face Ka'bah.

It is well known that the Prophet (peace be upon him) went through the Safa gate, and on approaching Safa he recited the Qur'anic verse 2:158

"Verily, Safa and Marwah are among the symbols of Allah"

(إن الصفا والمروة من شعائر الله)

and then saying

"I begin with what Allah Himself began"

أبدأ بما بدأ الله به.

he climbed Safa until he could see the Ka'bah from where he stood. He faced the Ka'bah, thrice proclaimed Allah's Oneness, glorified Him, praised Him, and then said,

"There is no deity worthy of worship except Allah. He has no partners. To Him belongs the kingdom and all praise. He alone grants life and causes death, He has power over all things. There is no God but He. He has fulfilled His promise, given victory to His servant, and He alone defeated the confederates."

لا إله إلا الله وحده لا شريك له ، له الملك وله الحمد يحيي ويميت وهو على كل شيء قدير ، لا إله إلا الله وحده أنجز وعده ، ونصر عبده ، وهزم الأحزاب وحده.

Thrice he made similar supplications. Then he walked toward Marwah and

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[11] Reported by Abu Daw'ud and Tirmidhi.

climbed it, until he could see the Ka'bah. There he made supplications as he had at Safa.

Nafi' has reported that he saw Abdullah bin 'Umar standing on Safa and supplicating in these words:

"O Allah! You have said 'Call Me and I shall respond to your call.' Verily, You do not break Your promise. O Allah! I pray that just as You guided me to Islam, so divest me not of it until the day you cause me to die."

اللهم إنك قلت: (ادعوني أستجب لكم) وإنك لا تخلف الميعاد ، وإني أسألك - كما هديتني للإسلام - أن لا تنزعه مني حتى تتوفاني وأنا مسلم.

Supplications Between Safa and Marwah

Making supplications, remembrance of Allah, and reciting the Qur'an while walking between Safa and Marwah are all desirable. It is reported while making *Sa'i* the Prophet (peace be upon him) used to supplicate,

"O my Lord, forgive me, have mercy upon me, and guide me to the straight path."

رب اغفر وارحم واهدني السبيل الأقوم.

Also he used to supplicate,

"O my Lord, forgive me, and have mercy upon me. You are the most Honorable, most Dignified."

رب اغفر وارحم ، إنك أنت الأعز الأكرم.

After performing *Tawaf* and *Sa'i* a pilgrim completes the rites of 'Umrah. Similarly a person performing *Hajj Tamattu'* may terminate his state of *ihram* by clipping some of his hair short or else shave it all. However, a pilgrim should keep his state of *ihram* if he is performing *Hajj Qiran*. Such a pilgrim may terminate his state of *ihram* on the Day of Sacrifice (*Yaum un-Nahr*) after the sacrifice. For a *qarin* pilgrim, this *Sa'i* will suffice in place of the one other pilgrims are required to make after *Tawaf al Fard* when they return from Mina. As for those pilgrims who join Hajj with 'Umrah with a break in between (i.e., who make *Hajj Tamattu'*), they must perform another *Sa'i* and stay in Makkah until *Yaum al-Tarwiya* (the 8th of Dhul-Hijjah).

Chapter Thirteen

STAYING AT MINA AND ARAFAH

Moving out to Mina

It is sunnah to move to Mina on the 8th of Dhul-Hijjah. So all pilgrims, who are performing *Hajj Qiran* or *Hajj Ifrad*, they should proceed in their *ihram* to it. Those performing Hajj *Tamattu'* should on that day put on *ihram* (as they did the first time at the *miqat* and proceed to Mina with others. According to sunnah a pilgrim performing *Hajj Tamattu'* should put on his *ihram* from the place of his stay. If he is in Makkah he should assume *ihram* from Makkah, otherwise he may assume *ihram* from wherever he is staying. In a hadith we read, "He who is staying at Makkah, should put on *ihram* from where he is staying. The residents of Makkah should put on their *ihram* from Makkah."

It is commended that one should make supplications and say *talbiyah* as much as possible while moving to Mina, and should offer *Zuhr*, *'Asr*, *Maghrib* and *Isha* prayers at Mina, and spend the night there, and not depart from it until the sunrise of the ninth day of Dhul-Hijjah, following the example of the Prophet (peace be upon him). If anyone misses any of these he will be missing a sunnah act, but he is not required to do anything to compensate for it. Ibn Al-Mundhir has reported that 'Aishah did not leave Makkah on the 8th of Dhul-Hijjah till quite late, after one third of the night had passed.

Leaving Makkah Before the 8th of Dhul-Hijjah

Sa'id bin Mansur reported that Al-Hasan used to leave Makkah for Mina a day or two before *Yaum al-Tarwiya* (on the 6th or 7th of Dhul-Hijjah). Malik, however, disliked it, and also disliked that one should stay in Makkah until the evening of *Yaum al-Tarwiya*, except when it is Friday and one is still in Makkah and it is time for the Friday prayer. In such a case one must offer Friday prayer before leaving for Mina.

Moving to Arafat

After the sunrise of the 9th day of Dhul-Hijjah, it is sunnah to leave for Arafah by way of Dhabb while uttering *takbir* (*Allahu Akbar*), *tahlil* (*La ilaha il-lal-lah*), and *talbiyah* (*Labaika Allahumma lab-baik*).

Mohammed bin Abi Bakr Al-Thaqafi said: "I asked Anas bin Malik regarding *talbiyah*, while we were on our way to Arafah from Mina, 'How did you do it while you were with the Prophet (peace be upon him)?' Anas answered, 'Some (of us) said *talbiyah*, while others said *takbir*, and yet others repeated *La ilaha il-lal-lah*. And the Prophet (peace be upon him) did not disapprove of any of them.'" This is reported by Bukhari and others.

It is desirable to stop at Namira and take an ablution or bath in preparation for one's stay at Arafah. Furthermore, it is liked that one should enter Arafah at the time appointed for staying there which is after midday.

Spending the Day at Arafah
Its Excellence

Jabir reported that the Prophet (peace be upon him) said, "The ten days of the month of Dhul-Hijjah are the best days in the sight of Allah." A man asked, "Are these days better than an equivalent number of days that are spent fighting for the cause of Allah?" The Prophet (peace be upon him) answered, "They are better than an equivalent number of days spent fighting in the cause of Allah. And there is no day better in the sight of Allah than the Day of Arafah. On this day Allah, the Almighty and the Exalted One, descends to the nearest heaven, and He is proud of His slaves on the earth, and says to those in heaven, "Look at My servants. They have come from far and near, with hair dishevelled and faces covered with dust, to seek My Mercy, even though they have not seen my chastisement. Far more people are freed from the Hellfire on the Day of Arafah than on any other day." Al-Mundhri said that this hadith was reported by Abu Ya'la, al-Bazzar, Ibn Khuzaimah, and Ibn Hibban, in whose wording it is given here.

Ibn Al-Mubarak reported from Sufyan Al-Thauri, he from Az-Zubair bin Ali, and he from Anas bin Malik that he said: "The Prophet (peace be upon him) spent the day at Arafah until almost sunset. Then he said, 'O Bilal! Ask the people to be quiet and listen to me.' Bilal stood up and asked the people to be quiet and listen to the Prophet (peace be upon him). When the people were quiet, the Prophet (peace be upon him) said: 'O People! A little while ago Gabriel (peace be upon him) came to me, gave me salutations from Allah, and informed me that Allah has forgiven those who spend the Day at Arafah, and those who stop at Mash'ar al-Haram, and that He has guaranteed their debts.'

At this 'Umar bin al-Khattab stood up and asked. 'O Allah's Messenger, is this for us only?' The Prophet (peace be upon him) said, "This is for you, and for all those who will come after you until the Day of Judgment.' 'Umar

exclaimed, 'How plentiful and blissful Allah's bounties are!'"

Muslim and others have reported from 'Aishah that the Prophet (peace be upon him) said: "Allah frees far more people from Hellfire on the Day of Arafah than on any other day, and that Allah comes closer this day and proudly says to the angels, 'What do these people want and seek?'"

Abu Darda reports that the Prophet (peace be upon him) said, "On no other day does the Satan feel so belittled, humiliated, and angry as he does on the Day of Arafah." The reason for this is the mercy of Allah that descends (this day) and the forgiveness that He grants to people for major sins, except the day of the Battle of Badr which witnessed a far greater mercy of Allah descending upon people which caused great sadness to Satan.

The Prophet (peace be upon him) was asked, "O Prophet of Allah! What did Satan see on the day of the Battle of Badr?" "He saw Gabriel leading the troops of Angels," he replied.[1]

Spending the Day

There is consensus among the Muslim scholars that spending the Day at Arafah is the most important part of Hajj. Ahmad and the compilers of the *Sunan* have reported from Abdur Rahman bin Ya'mur that the Prophet (peace be upon him) ordered an announcer to proclaim "Hajj is (spending the day at) Arafah, so he who joins other pilgrims on the night of Muzdalifah before dawn, will be considered as having performed Hajj."

Time for Arafah

Most Muslim scholars are of the opinion that the time to spend in Arafah begins from noon of the 9th day of Dhul-Hijjah until dawn of the 10th of Dhul-Hijjah, and that any part of this period of time, day or night, may be spent in Arafah (to fulfill this condition). A pilgrim choosing to spend the day time at Arafah must stay there until after the sunset. But if someone spends the night at Arafah he is not obligated to stay for any specific length of time. Ash-Shafi'i holds that extending the stay at Arafah until nightfall is sunnah.

The Significance of Staying at Arafah

Staying at Arafah means physical and mental presence in any part of Arafah, whether one is awake, asleep, riding, sitting, lying down, walking, and regardless of whether one is in a state of purity or not, e.g., a menstruating woman, or one giving birth, or a person having a wet dream. The scholars differ, however, about the position of one who faints and remains in a coma until he leaves Arafah. Abu Hanifah and Malik hold that the Hajj of such people is valid.

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[1] Reported by Malik as a *mursal* hadith and by Al-Hakim with an unbroken chain.

Ash-Shafi'i, Ahmad, Al-Hasan, Abu Thawr, Ishaq, and Ibn Al-Mundhir hold that such a person's Hajj is invalid, because it is an essential part of Hajj, and a person in a coma cannot perform this or any other rites of Hajj.

After reporting the above hadith of Ibn Ya'mur, Tirmidhi remarks: "Sufyan Al-Thawri said that the knowledgeable Companions of the Prophet (peace be upon him) and others followed this hadith and held that a person failing to spend the day or a portion thereof at Arafah before the dawn of the 10th of Dhul-Hijjah, or arriving there after the sunrise, misses Hajj. Such a person should consider his present Hajj as an 'Umrah, and must repeat it the next year. This is the opinion of Ash-Shafi'i, Ahmad, and others.

Staying by the Rocks

A pilgrim may spend the Day of Arafah anywhere within the bounds of Arafah for all of it is equally good for encamping (on this particular day) except the bottom of the valley called 'Urnah to the west of Arafah. There is consensus that spending the Day of Arafah at 'Urnah is not sufficient to fulfill the condition of staying at Arafah.

Spending time near the rocks or as close to them as possible is commended. The Prophet (peace be upon him) stopped at this place and said, "I have stopped here, but the whole of Arafah is a stopping place (for the Day of Arafah)."[2] Climbing the Mountain of Mercy or the belief that standing on it is better than standing in any other place is wrong. Nor does doing so represent a sunnah of the Prophet (peace be upon him).

Taking a Bath

It is desirable that one should take a bath before encamping in Arafah. Ibn 'Umar used to take a bath on the eve of the Day of Arafah, as reported by Malik. Similarly 'Umar (may Allah be pleased with him) used to take a bath in Arafah while he was in the state of *ihram.*

Etiquette of Standing and Making Supplications

One must maintain a complete state of purity, face the direction of Ka'bah, seek forgiveness of Allah as much as possible, glorify Allah, and supplicate for one's well being and welfare in this life and in the Hereafter, and for others, with fervor, attention, and with hands raised in supplication.

Osamah bin Zaid reported: "I was riding behind the Prophet (peace be upon him) in Arafah, while he raised his hands in supplications to Allah."[3]

'Amr bin Shu'aib reported from his father and his grandfather, who said that on the Day of Arafah the Prophet (peace be upon him) mostly supplicated

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[2] Reported by Ahmad, Muslim, and Abu Daw'ud on the authority of Jabir.

[3] Reported by Nasa'i.

in these words:

"*La ilaha illallahu wahdahu la sharika lahu, lahul mulk wa lahul hamd, biyadihil khair wa huwa 'ala kulli sha'in qadeer*	لا إله إلا الله وحده لا شريك له ، له الملك ، وله الحمد ، بيده الخير وهو على كل شيء قدير.

(There is no deity worthy of worship but Allah Alone. He has no partners. To Him alone belongs the Kingdom, and all praise. In His hand is all the good, and He has power over all things)."

It is reported by Ahmad and Tirmidhi (and this is the wording of Tirmidhi) that the Prophet (peace be upon him) said, "The best supplication is that of the Day of Arafah, and the best thing that I and other Prophets before me said is:

'*La ilaha illallahu wahdahu la sharika lahu, lahul mulk wa lahul hamd wa huwa 'ala kuli sha'in qadeer.*'"	لا إله إلا الله وحده لا شريك له ، له الملك وله الحمد ، وهو على كل شيء قدير.

Al-Hussain bin Al-Hasan Al-Maruzi reported: "I asked Sufyan bin 'Oyainah, 'What is the best supplication for the Day of Arafah?' He said, '*La ilaha illallahu wahdahu la sharika lahu.*' I said, 'But this is glorification of Allah and His praise, and it is not a supplication.' Thereupon Sufyan said, 'Don't you know the hadith of Malik bin Al-Harith which explains it.' I said to him, 'Tell me about it.' He said, 'Mansur narrated from Malik bin Al-Harith that he said "Allah, the Almighty, and the Exalted One, says: 'If a servant of Mine occupies himself in extolling and praising Me instead of asking Me for his needs I give him better than what I give to those who ask for their needs.'" Then he added, 'This explains the saying of the Prophet (peace be upon him).' He continued and said, "Haven't you heard what Ummaya bin Abi Al-Salt said to Abdullah bin Jad'an when he sought the hand of Na'ilah in marriage?" I said, "No." At this he said, "Ummaya recited (these lines of poetry) to Abdullah bin Jad'an:

> Do I have to tell you my need, or your modesty is enough (to plead my case), for modesty is your disposition,
>
> You are conversant with rights (and obligations) and come of a family polite and respectable,
>
> When someone praises you once he need not repeat it again!

Then Sufyan added, "O Hussain, you see how the humans are pleased with praise and are ready to grant request without even asking. What about their Creator then?"

Al-Baihaqi reported from Ali (with a weak chain of narrators) that the Prophet (peace be upon him) said, "The supplication most frequently used by the Prophets before me and by me on the Day of Arafah is this:

'La ilaha illallahu wahdahu la sharika lahu, lahul mulk wa lahul hamd wa huwa 'ala kuli sha'in qadeer. Allahumma 'ij'al fi basri nuran wa fi sam'i nuran wa fi qalbi nuran. Allahumm ashrah li sadri wa yassir li amri. Allahumma 'udhubika min waswasis sadri wa shatatil amr wa sharri fitnatil qabr wa sharri ma yaliju fil lail wa sharri ma yaliju fin nahar wa sharri ma tahubu bihi riyah wa sharri bawa'iqid dahr

لا إله إلا الله وحـــده لا شـــريك له ،
له الملك وله الحـــمـــد ، وهو على كل
شيء قـــدير ، اللهم اجـــعل في بصـــري
نوراً ، وفي سـمـعي نوراً ، وفي قلبي نوراً.
اللهم اشرح لي صدري ، ويسّر لي أمري ،
اللهم أعــوذ بك من وســواس الصــدر ،
وشتات الأمر ، وشر فتنة القبر ، وشر ما
يلج في الليل وشر ما يلج في النهار ، وشر
مـــا تهب به الرياح ، وشـــر بوائق الدهر.

(There is no deity worthy of worship but Allah alone. He has no partners. To Him belongs the kingdom and all praise, and he has power over all things. O Allah! place light (guidance) in my sight, in my ears, and in my heart. O Allah! Open my chest and ease my work. O Allah! I seek refuge with You from evil whispers, from confusion, from the trial of the grave, from the evil that takes place during the day or night, from the evil carried by the winds, and from the afflictions of the world."

Tirmidhi also reported from Ali that the supplication used most of the time by the Prophet (peace be upon him) during his stay in Arafah was:

"Allahumma lakal hamdu kalladhi naqulu wa khairam mimma naqulu, Allahumma laka salati wa nusuki wa mahyaya wa mamati wa ilaika ma'abi wa laka rabbi turathi allahumma inni a'udhubika min 'adhabil qabri wa waswasatis sadri wa shatatil amri allahumma inni a'udhubika min sharri ma tahubbu bihi riyhu

اللهم لك الحمد كالذي نقول ، وخيراً مما
نقول ، اللهم لك صــلاتي ونسكي ومـحيـاي
ومماتي ، وإليك مـــآبي ، ولك رب تراثي ،
اللهم إنّي أعــوذ بك من عــذاب القــبــر ،
ووسـوسـة الصـدر ، وشـتـات الأمر ، اللهم
إني أعوذ بك من شر ما تهب به الريح.

(All praise belongs to You, O Allah! as we say, and better than what we can say. O Allah! My prayers, my worship, my life and my death are all for You. O Allah! To You is my return, to You belong what I own. O Allah! I seek refuge with You from the torment of the grave, the evil whispers, confusion, and from whatever the wind may bring."

Spending the Day at Arafah - An Abrahamic Tradition

Mirba' Al-Ansari reported that the Prophet (peace be upon him) said: "You must adhere to the traditions and rituals (of Hajj), for these have come down to you from (your forefather) Ibrahim in heritage." This was reported by Tirmidhi as a sound hadith.

Fasting on the Day of Arafah

It is confirmed that the Prophet (peace be upon him) did not fast on the Day of Arafah. The Prophet (peace be upon him) said: "Verily the Day of Arafah, the Day of Sacrifice (*Yaum al-Nahr*), and *Ayam Tashriq* (the 10th, 11th and 12th of Dhul-Hijjah) are our days of festivities. These are the days of eating and drinking." It is also established that the Prophet (peace be upon him) forbade fasting on the Day of Arafah while at Arafah (for pilgrimage).

This has led most of the scholars to conclude that in fact not fasting on the Day of Arafah is desirable, so that a pilgrim should be strong enough to devote himself wholeheartedly to worship and supplications.

Some of the ahadith that encourage fasting on the Day of Arafah concern the persons who are not staying at Arafah as pilgrims performing Hajj.

Combining *Zuhr* and *'Asr* Prayers at Arafah

According to the authentic ahadith the Prophet (peace be upon him) combined *Zuhr* and *'Asr* prayers while at Arafah. For this, *adhan* - call for the prayer - was given, then *iqamah* - the second call for prayer - was made. Then he offered *Zuhr*. After this, another *iqamah* was made and he offered *'Asr* prayer.

Al-Aswad and 'Alqamah said: "For the completion of Hajj, *Zuhr* and *'Asr* prayers must be offered at Arafah in congregation behind an imam."

Ibn Al-Mundhir said: "There is consensus among the scholars that the imam must combine *Zuhr* and *'Asr* prayers at Arafah, and so should any one offering prayer with the imam." And in case one cannot combine these and pray behind an imam, one should combine them while praying alone.

It is reported that Ibn 'Umar used to reside at Makkah, but when he went to Mina he would shorten his prayers. 'Amr bin Dinar reported that Jabir bin Zaid told him: "Shorten your prayers at Arafah." This is reported by Sa'id bin Mansur.

Returning from Arafah

According to sunnah, pilgrims should leave Arafah quietly and peacefully after sunset. The Prophet (peace be upon him) left Arafah very peacefully and quietly, holding the reins of his she camel so tightly that its head touched its back, while he said to the people, "O people, walk calmly; rushing or making haste is not a virtue." This is reported by Bukhari and Muslim. They also reported that the Prophet (peace be upon him) let his she camel go at normal pace, but when he found ample space in front of him he urged it to go faster." He did this out of compassion and consideration for the people.

It is desirable for pilgrims to utter *talbiyah* and make remembrance of Allah as much as possible. The Prophet (peace be upon him) repeated *talbiyah* right until he threw pebbles at Jamarah Al-'Aqabah. Ash'ath bin Sulaim

reported from his father that he said, "I went with Ibn 'Umar from Arafah to Muzdalifah. He did not stop making remembrance of Allah and declaring His Oneness until we reached Muzdalifah." This is reported by Abu Daw'ud.

Combining *Maghrib* and *'Isha*

Upon arriving in Muzdalifah the Prophet (peace be upon him) offered *Maghrib* and two rak'ahs for *'Isha* (making *qasr*). He ordered one single call for both *'Isha* and *Maghrib*, but a separate *iqamah* for each. No other supererogatory prayer is to be offered in between these two prayers. In the hadith recorded by Muslim we read that the Prophet (peace be upon him) arrived in Muzdalifah, and combined the *Maghrib* and *'Isha* prayers, with one *adhan* and two *iqamahs*. He did not offer any other prayer in between the two. Combining these prayers is, according to the consensus of the scholars, a sunnah, though there is disagreement as to those who offer these two prayers separately in their times. Most of the scholars consider it permissible, but hold that following the example of the Prophet is far more preferable. Thawri and other knowledgeable people are of the opinion that a pilgrim offering *Maghrib* prayer at any place other than Muzdalifah must re-do it. They are of the opinion, however, that offering *Zuhr* and *'Asr* prayers separately in their due times is permissible, but it is a disliked act.

Spending the Night at Muzdalifah

Jabir says: "When the Prophet (peace be upon him) reached Muzdalifah, he offered both *Maghrib* and *'Isha* prayers, then he lay down to sleep. He slept until dawn, then he got up and offered Fajr prayer, and mounted his she camel, Al-Qaswa. When he reached *Al-Mash'ar Al-Haram* he stopped there until there was light all around, then before sunrise, he left the place. There is no evidence to show that the Prophet (peace be upon him) spent the night (at Muzdalifah) in prayers and supplications. This is the correct position about spending the night at Muzdalifah and stopping there in the light of the practice of the Prophet (peace be upon him).

Ahmad holds that spending the night at Muzdalifah is obligatory for all pilgrims except shepherds and water providers for whom it is not obligatory to do so. All the imams of schools of Islamic law consider stopping and spending some time at Muzdalifah obligatory. They do not, however, regard spending the entire night there as obligatory. Spending some time there, means being present physically, in any posture or condition, standing, sitting, being awake or asleep, walking, or passing by.

The Hanafi school is of the opinion that it is obligatory to be present at Muzdalifah before the dawn of *Yaum al-Nahr* (the 10th of Dhul-Hijjah). So, if one fails to do so without a genuine excuse, one must offer a sacrifice unless one has a genuine excuse in which case one is not obligated to be physically present, nor does one incur any penalty.

The Maliki school holds that stopping at Muzdalifah. before dawn, and spending some time there is enough, while going from Arafah to Mina, is obligatory when one has no excuse to do otherwise. For a pilgrim with a genuine excuse stopping and staying at Muzdalifah is not obligatory.

The Shafi'i school holds that only the physical presence in the second half of the night of the 10th of Dhul-Hijjah at Muzdalifah, after spending the day at Arafah, is obligatory. One is not required to spend the entire night there, nor is it essential even to make sure whether the place one is staying is within the boundaries of Muzdalifah.

It is the sunnah, however, to offer Fajr prayer at its early time, then head for and stop at *Al-Mash'ar al-Haram* till daylight spreads before the sunrise. One should spend this time in supplication and remembrance of Allah. Allah says in the Qur'an (2:198): "Then when you pour down from (mount) Arafah, celebrate the praises of Allah at the Sacred Monument and celebrate His praises as He has directed you, even though, before this, you went astray. Then pass on at a quick pace from the place whence it is usual for the multitude to do so, and ask for Allah's forgiveness. And Allah is Oft-Forgiving, Most Merciful."

Before sunrise, the pilgrims leave Muzdalifah for Mina, but when they pass through the valley called Muhassir, they should pass it at a quicker pace.

Stopping Place at Muzdalifah

One may stop anywhere in Muzdalifah, except the valley called Muhassir (between Muzdalifah and Mina). Jubair bin Mot'im reported that the Prophet (peace be upon him) said: "The entire area of Muzdalifah is a place to stay, but avoid the valley called Muhassir." This is reported by Ahmad with a sound chain of authorities. Spending the time at Muzdalifah at a place called Quzah,[4] is, however, better.

In a hadith reported by Ali we read that when the Prophet (peace be upon him) arrived at Joma (a place in Muzdalifah), he stood there and said, "This is Quzah, the place to stop; and the entire Joma is a stopping place." This is reported by Abu Daw'ud and Tirmidhi, who considers it a sound hadith.

Rites of *Yaum Al-Nahr* (10th of Dhul-Hijjah)

The rites of the 10th of Dhul-Hijjah are performed in the following order:

These rites begin with throwing the pebbles, followed by offering the sacrifice, shaving one's head, performing a *tawaf* around Ka'bah. Observance of these rites in this sequence is sunnah. If one of these is performed before or after another there is no harm, according to most scholars.

This is the standpoint of Ash-Shafi'i based on a hadith reported by Abdullah bin 'Amr who said: "The Prophet (peace be upon him) stood in Mina during the Farewell Hajj, while the people asked him questions and he answered

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[4] The Quraish used to stop there in the pre-Islamic period instead of staying at Arafah

them. A man asked, 'O Prophet of Allah! I was not alert and I shaved my head before slaughtering my animal?' The Prophet (peace be upon him) said, 'There is no harm, go and slaughter your animal.' Another man asked, 'I slaughtered the animal before I threw the pebbles?' The Prophet (peace be upon him) told him, 'There is no harm. Go and throw the pebbles.'" The narrator said: "Whoever asked the Prophet (peace be upon him) about anything done before or after the other he told him 'No harm done. Go and do (whatever you missed).'"

Abu Hanifah is of the opinion that if someone failed to observe the proper sequence in performing these rites, and he did delay or precede a rite, he must offer a sacrifice, interpreting the words "no harm done" of the Prophet (peace be upon him) to mean that such a person is not guilty of any sin, but nonetheless such a person has to slaughter an additional animal in atonement.

The First and the Second Removal of *Ihram*

After throwing the pebbles on the 10th day of Dhul-Hijjah and shaving the head or clipping some hair of it, a pilgrim is released from all restrictions of the state of *ihram*. He may now wear perfume, put on regular clothes, etc., except approaching his wife sexually. This is known as the first removal of *ihram*. After completing *Tawaf Al-Ifada*, an essential rite of Hajj, everything is permissible for him including approaching his wife sexually. This is called the second or final removal of the state of *ihram*.

Throwing the Pebbles – Their Origin

Al-Baihaqi reported from Salim bin Abi Al-J'ad that Ibn 'Abbas said that the Prophet (peace be upon him) said: "When Abraham (peace be upon him) wanted to perform the Hajj rites, Satan blocked his way near 'Aqabah.[5] Abraham threw seven pebbles at him whereupon the Satan sunk into the ground. Again the Satan appeared to him near the second Jamarah. Abraham threw seven pebbles at him and he again sunk into the ground. Once again the Satan approached him near the third Jamarah, and again Abraham threw seven pebbles at him and once again the Satan sunk into the ground." Ibn 'Abbas added. "You throw pebbles at the Satan, and (in doing so) you follow the path of your (great) forefather Abraham (peace be upon him)." Al-Mundhri said: "This is reported by Ibn Khuzaimah in his *Sahih* and by Al-Hakim, and it is sound according to their criterion."

Wisdom Behind Throwing Pebbles

In his *Al-Ahya*, Al-Ghazali says: "As to the throwing of the pebbles, it

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[5] Jamarah Al-Aqabah is on the left side inside Mina; the Jamarah Al-Wusta (the Middle Jamarah) is at about 11,677 meters from the first one, while Jamarah Al Sughra (the Smallest Jamarah) is 1,564 meters further from the middle one.

is an expression of the thrower's intention to obey Allah's commandment, and a demonstration of his humility and servitude to Him. It signifies compliance with divine commandment without any trace therein of any selfish pleasure, sensuous or intellectual.

"By throwing pebbles, one emulates Abraham when Satan — may Allah curse him — blocked his way at that place in order to cast doubts in his heart or tempt him and divert him away from his Lord, so Allah commanded Abraham to drive the Satan away by throwing pebbles at him.

"Therefore, if you are tempted to think that Satan appeared to Abraham and therefore he threw pebbles at him, but I am not tempted by Satan, so there is no need for me to throw these pebbles — if such a thought comes to you — then you must realize that this thought itself is from Satan, who suggests it to make you think there is no benefit in it, and so weaken your resolve and prevent you from throwing pebbles. Fight against these evil whispers with firmness, resolution and by throwing pebbles despite these suggestions. You must also realize that although you are apparently throwing pebbles at the Jamarahs, in reality you are hurling these in the face of Satan and thereby breaking his backbone. This is not possible except by submitting to the commandments of Allah, in submission to Him, and without seeking gratification of any personal desire."

Its Legality

The majority of scholars is of the opinion that throwing the pebbles is necessary (*wajib*), but it is not obligatory. Anyone failing to throw pebbles is required to offer a sacrifice as reported by Ahmad, Muslim, and Nasa'i from Jabir who said, "I saw the Prophet (peace be upon him) riding his mount and throwing pebbles on the Day of *Nahr* (10th of Dhul-Hijjah), and saying, 'Take your rituals from me. I do not know whether I will be able to perform another Hajj after this one'."

Abdur Rahman Al-Taimi said: "The Prophet (peace be upon him) commanded us in the Farewell Hajj to use small pebbles (the size of a pea)."This was reported by At-Tabarani in his *Al-Kabir* with a sound chain of authorities.

The Size of the Pebbles

The pebbles, as stated in the above hadith, should be no bigger than the size of a pea. That is why the scholars consider this size as desirable. If, however, someone throws a bigger stone, according to the majority of scholars, it will suffice him for completing the rite, but it is disliked. Ahmad holds that it will not be sufficient for him until he repeats it with pebbles (of suitable size), because the Prophet (peace be upon him) practiced it, and he forbade the use of bigger stones.

Sulaiman bin 'Amr bin Al-Ahwas Al-Azdi reported from his mother that she said, "The Prophet (peace be upon him) was at the bottom of the valley.

and he was saying, "O People! Do not kill each other! When you throw pebbles, use pebbles the size of a pea." This was reported by Abu Daw'ud.

Ibn 'Abbas reported: "The Prophet told me 'Come, pick some pebbles for me!' I picked small pebbles like peas. When I gave these pebbles to him, he said, "Use pebbles similar to these (in throwing), and beware against exaggerating in your religion, for those before you were destroyed because of their exaggeration in religion." This was reported by Ahmad and Nasa'i, its chain of authorities being sound. The majority of scholars take these ahadith as indicating preference for the size of pebbles. There is consensus that only stones (pebbles) be thrown and not iron, lead etc.

The Hanafi school, however, disagrees and holds that it is permissible to use anything that comes from the earth, stones, clay, bricks, soil, or ceramics etc., because the hadith mentions throwing only (and does not specify as to what should be used). The practice of the Prophet (peace be upon him) and his companions indicates the preference and does not specify anything in particular. The first opinion is preferable because the Prophet (peace be upon him) used pebbles and he ordered others to throw pebbles like peas, which may apply to various kinds of pebbles but not to anything else.

Where to Pick the Pebbles From

Ibn 'Umar used to pick his pebbles from Muzdalifah, and so did Sa'id bin Jubair. Ash-Shafi'i regards this preferable, but according to Ahmad one may pick pebbles from anywhere one wants.

'Ata and Ibn Al-Mundhir hold a similar view, for in the hadith of Ibn 'Abbas the words used by the Prophet (peace be upon him) are "pick (some pebbles) for me" without specifying the place whence these were to be picked.

According to the Hanafi and Shafi'i schools, and Ahmad it is permissible, though undesirable, to use pebbles that have been used before. Ibn Hazm holds it permissible without any dislike. He says, "Throwing the pebbles that are used before is permissible, and so is throwing pebbles while mounting an animal."

Neither the Qur'an nor Sunnah forbids the use of used pebbles. Logically speaking, had those pebbles not been re-used by multiple pilgrims, there could have been mountains of them in the area.

As to throwing pebbles while riding one's mount we read in the hadith of Qudamah bin Abdullah that he said, "On the Day of Sacrifice, I saw the Prophet (peace be upon him) throwing pebbles on the first Jamarah Al-Aqabah while he was riding a light-colored she camel without throwing them hard or slow, nor pushing and shoving others."

The Number of Pebbles

The total number of pebbles to be thrown is either seventy (70) or forty nine (49). Seven of these are to be thrown on the first Jamarah Al-Aqabah

on the 10th of Dhul-Hijjah; twenty one on the 11th day, seven at each of the three jamarahs; and similarly twenty one on the 12th day, throwing seven at each of the three places. The last twenty one pebbles are likewise to be thrown, seven at each of the jamarahs, on the 13th day of Dhul-Hijjah. The total number of these pebbles comes to seventy pebbles.

If a pilgrim throws the pebbles for only three days (the 10th, 11th and 12th of Dhul-Hijjah), and does not throw on the 13th day, he may do so without any harm. In such a case the total number will be forty nine pebbles.

According to Ahmad throwing five pebbles will suffice a pilgrim. 'Ata says throwing five pebbles will complete his Hajj rites. Mujahid said, "If a pilgrim throws six pebbles he may do so without incurring any penalty."

Sa'id bin Malik reported: "We returned with the Prophet (peace be upon him) after Hajj. Some of us said they had thrown six, others said they had thrown seven pebbles. But none of us found fault with others for doing so."

Days of Throwing the Pebbles

The days for throwing pebbles are either three or four days: the 10th, 11th and 12th of Dhul-Hijjah or these three and the 13th of Dhul-Hijjah. Allah says in the Qur'an (2:203): "Celebrate the praise of Allah during the appointed days. But if any one hastens to leave in two days there is no blame on him, and if anyone stays on there is no blame on him, if his aim is to do right."

Throwing Pebbles on the Day of Sacrifice (10th Dhul-Hijjah)

The best time to throw the pebbles is forenoon on the 10th of Dhul-Hijjah, because the Prophet (peace be upon him) threw the pebbles before noon on that day.

Ibn 'Abbas said that the Prophet (peace be upon him) permitted the old and weak people of his family to throw first. Then he said, "Do not throw pebbles at the first Jamarah Al-Aqabah before the sunrise." This was reported by Tirmidhi, who considers it a sound hadith. Deferring the throwing to the end of the day is, however, permissible.

Ibn Abdul Barr said: "There is consensus among the scholars that if a pilgrim throws pebbles on the 10th of Dhul-Hijjah before the sunset, he will be considered as having thrown in time, although doing so is not desirable."

Ibn 'Abbas reported that on the Day of Sacrifice the Prophet (peace be upon him) was told by a man at Mina that he had thrown his pebbles after sunset, whereupon he said to the man, "There is no harm." This was reported by Bukhari.

Delaying Throwing Until After Dark

Delay in throwing pebbles until after dark is permissible if there is a genuine excuse for doing so as related by Malik from Nafi' that a daughter of Safiyah,

wife of Ibn 'Umar, gave birth to a baby in Muzdalifah. So she and Safiyah (her mother) were left behind, and they arrived in Mina after sunset on the 10th of Dhul-Hijjah. Ibn 'Umar asked them to throw their pebbles when they arrived and he found no harm in their doing so.

It is disliked, however, to delay throwing the pebbles without a valid excuse until after dark. According to the Hanafi and Shafi'i schools, and in the light of a narration from Malik, there is no penalty for delaying the throwing of pebbles, considering the aforementioned hadith of Ibn 'Abbas. Ahmad is of the opinion that if a pilgrim delays the throwing of pebbles till the end of the Day of Sacrifice, then he should not throw pebbles during the night, but should throw them the next afternoon.

Concession for the Weak and Others with a Valid Excuse to Throw Pebbles after Midnight of Sacrifice (10th of Dhul-Hijjah)

There is consensus on throwing pebbles before midnight on the 10th of Dhul-Hijjah (the Night of Sacrifice). It is permissible, however, for women, children, the weak, those who have a valid excuse, and the shepherds to throw pebbles at Jamarah Al-Aqabah in the night.

'Aishah reported that the Prophet (peace be upon him) sent Umm Salamah on the night of the 10th to throw her pebbles. She did so before dawn after which she went back to Makkah for *tawaf*. This is reported by Abu Daw'ud and Al-Baihaqi, who says that its chain is sound.

Ibn 'Abbas reported that the Prophet (peace be upon him) permitted the herdsmen tending the camels to throw their pebbles during the night. This is reported by Bazzar with a chain of narrators including Khalid Al-Zanji, who is considered an unreliable reporter. 'Urwah reported that the Prophet (peace be upon him) went to Umm Salamah on *Yaum al-Nahr* and ordered her to hasten for Muzdalifah, and then to Makkah (after throwing the pebbles in Mina during the night) and to offer Fajr prayer there. That day was her turn to be with him and she desired to be with him. This was reported by Ash-Shafi'i and Al-Baihaqi.

'Ata reported that someone told him about Asma who threw pebbles at the first jamarah during the night, and said, "We used to do so during the lifetime of the Prophet (peace be upon him)." This is reported by Abu Daw'ud.

Tabari said: "Ash-Shafi'i refers to the reports transmitted by Umm Salamah and Asma and concludes that it is permissible to go to Makkah after midnight.

Ibn Hazm, however, holds that the permission to throw at night applies to women only; it does not apply to men, whether strong or weak. These ahadith also show that it is permissible for anyone with a valid excuse to go a night earlier and throw the pebbles at night. Ibn Al-Mundhir said: "The sunnah (in this respect) is to throw the pebbles after sunrise, for this is what the Prophet (peace be upon him) did. It is not permissible to throw pebbles before sunrise, for such an act would be contrary to sunnah. But if one does so, he need not repeat it, because I have heard none (of the scholars) saying this was not acceptable."

Throwing from Atop

Al-Aswad said: "I saw 'Umar throwing his pebbles at the Jamarah Al-Aqabah from a place above it." 'Ata was asked about throwing pebbles from above to which he replied, "There is no harm in it." This is reported by Sa'id ibn Mansur.

Throwing During the Three Days

The time appointed for throwing pebbles during the three days is from midday until sunset. Ibn 'Abbas reported that the Prophet (peace be upon him) threw the pebbles at midday or thereafter. This is reported by Ahmad, Ibn Majah and Tirmidhi who consider it a sound hadith.

Al-Baihaqi has reported on the authority of Nafi' that Abdullah bin 'Umar used to say "We used not to throw the pebbles during the three days until after the sun was past the meridian. Delaying the throwing of pebbles till night was disliked. The time for throwing pebbles during the night was until the sunrise of the next day. All Imams of Islamic law, except Abu Hanifah, agree on this point. Abu Hanifah holds that throwing pebbles before midday on the third day is permissible. He based his opinion on a rather weak hadith transmitted by Ibn 'Abbas which says, "When day breaks on the 13th of Dhul-Hijjah, it is permissible to throw one's pebbles and depart from Mina (to Makkah)."

Supplications After Throwing Pebbles During *Ayam At-Tashriq* (11th, 12th, and 13th of Dhul-Hijjah)

It is desirable to stand facing the Qiblah, to praise Allah, while supplicating to Him for forgiveness for oneself, and for other fellow Muslims. Ahmad and Bukhari have reported from Salim bin Abdullah bin 'Umar and he from his father that when the Prophet (peace be upon him) threw pebbles at the first Jamarah, which is near the mosque, he said, *Allahu Akbar*. Thus he threw seven pebbles and each time he said *Allahu Akbar*. Then he went, turned left toward the bottom of the valley. There he stood for quite a long time facing the direction of Qiblah, and raising his hands supplicated to Allah. Then he went and threw seven pebbles at the second Jamarah saying *Allahu Akbar* with each throw. Thereafter he went to the left of the bottom of the valley, stood there facing Qiblah and supplicated to Allah with raised hands. Then he went to the Jamarah near Aqabah, threw seven pebbles at it, uttering a *takbir* with each throw. After this he left and did not pause. According to this hadith the Prophet (peace be upon him) did not pause after throwing pebbles at the Jamarah Al-Aqabah, but he did pause after throwing pebbles at the other two Jamarahs.

The scholars have in the light of the above hadith suggested that after any throwing (of pebbles at the Jamarahs) that is not followed by another throwing the same day one should not stop (for supplications), but if one throwing (of pebbles) is followed by another throwing the same day one should

stand there for supplications.

Ibn Majah has reported from Ibn 'Abbas that after throwing pebbles at the Jamarah al-Aqabah, the Prophet (peace be upon him) used to leave, and not stop (for supplications).

Order in Throwing Pebbles

It is confirmed that the Prophet (peace be upon him) used to begin with the first Jamarah that is near Mina, then he would go to the middle Jamarah further away, and then he would go to the Jamarah Al-Aqabah. Likewise it is proven that he said, "Take your religious rites from me."

The three of the leading Imams take this as indicating that observing sequence in throwing pebbles at the Jamarahs is a necessary condition and must be adhered to, because this is what the Prophet (peace be upon him) did. The Hanafi school, however, holds that sequence is only sunnah.

A *Takbir* and a Supplication with Every Throw Holding the Pebble Between the Index Finger and the Thumb

Ibn Mas'ud and Ibn 'Umar at the time of throwing pebbles used to say,

Allahumma ij'alhu Hajjan mabruran wa dhanban maghfuran — اللهم اجعله حجاً مبروراً وذنباً مغفوراً

"O Allah! Accept this Hajj of ours and pardon our sins".

Ibrahim said, "The Companions of the Prophet loved that while throwing pebbles at Jamarah Al-Aqabah one should supplicate, "O Allah, accept this Hajj of ours and forgive our sins." When asked if this supplication should be made at the time of throwing pebbles at each of the other Jamarahs as well he replied in the affirmative.

'Ata said, "When you throw the pebbles you should utter a *takbir* (*Allahu Akbar*) with each throw. This is reported by Sa'id bin Mansur.

According to the hadith of Jabir, the Prophet (peace be upon him) uttered *Allahu Akbar* with each pebble that he threw.

The author of *Al-Fath* says: "There is consensus that there is no harm if someone fails to utter a *takbir*."

Salman bin Al-Ahwas reported from his mother that she said, "I saw the Prophet (peace be upon him) riding his mount at Aqabah holding a pebble between his fingers and throwing it, while others were also throwing pebbles with him." This is reported by Abu Daw'ud.

Throwing Pebbles on Behalf of Others

Persons who for a valid reason, illness, etc., cannot themselves throw the pebbles they may ask someone else to throw pebbles on their behalf. Jabir

said, "We performed Hajj with the Prophet (peace be upon him) and we had some women and children with us. We (adults) uttered *talbiyah* and threw pebbles on behalf of the children." This was reported by Ibn Majah.

Sleeping (the Night) at Mina

Spending three nights or two nights, the 11th and 12th of Dhul-Hijjah, at Mina is necessary (*wajib*), according to the three Imams of the Islamic law. The Hanafi school regards sleeping at Mina as sunnah only.

Ibn 'Abbas said, "After you have thrown the pebbles you may spend the night wherever you wish." This is reported by Ibn Shaibah.

Mujahid said, "There is no harm if one spends the first portion of the night at Makkah, and the last one at Mina, or the first portion of the night at Mina and the last one at Makkah."

Ibn Hazm said, "A pilgrim who does not spend the night at Mina does wrong, but he does not incur any penalty.

There is consensus that in the case of those who have a genuine excuse, like water carriers, and shepherds, sleeping the night at Mina is not necessary, and if they leave out anything they don't incur any penalty.

The uncle of the Prophet (peace be upon him), Abbas, sought and got permission from the Prophet (peace be upon him) to spend these nights (supposed to be spent in Mina) at Makkah so that he could attend to his functions as provider of drinking water to the pilgrims. This was reported by Bukhari and others.

'Asam bin 'Adi reported that Prophet (peace be upon him) excused the shepherds from sleeping at Mina. This is reported in the *Sunan*, and Tirmidhi considers it a sound handith.

When to Return from Mina

The three schools of Islamic law hold that the pilgrims must return from Mina to Makkah before the sunset of the 12th of Dhul-Hijjah after throwing the pebbles.

The Hanafi school, however, is of the opinion that pilgrims may return to Makkah before the dawn of the 13th of Dhul-Hijjah. Leaving after sunset is, however, disliked for it is against the sunnah, but one who does so incurs no penalty.

Sacrificial Animals

These are animals brought to the *Haram*, the Sacred Mosque, seeking the closeness and pleasure of Allah, Who says in the Qur'an (22:36), "The sacrificial camels We have made for you as among the symbols from Allah: in them is (much) good for you: then pronounce the name of Allah over them as they line up (for sacrifice) when they are down on their sides (after slaughter), eat you thereof, and feed such as beg with due humility: thus have We made

animals subject to you, that you may be grateful. It is not their meat nor their blood, that reaches Allah: it is your piety that reaches Him."

'Umar said, "Sacrifice animals, for Allah loves sacrifice. The Prophet (peace be upon him) offered one hundred camels in sacrifice for the pleasure of Allah." This offering by him was supererogatory.

The Best Animals for Sacrifice

There is consensus among scholars that a sacrifice must be of one of the animals, and that the best of these are, camels, then cows, then sheep and so on, for a camel is more beneficial for the poor because of its great size (more can benefit from its meat), and similarly a cow is more useful than a sheep.

There is disagreement, however, as to what is best for an individual to offer in sacrifice, a camel or a cow sharing one seventh of their price, or a sheep. Apparently the preference in this regard is to what is more useful and beneficial for the poor and the needy.

The Minimum Number to Be Sacrificed

One may sacrifice any animal one chooses. The Prophet (peace be upon him) offered a hundred camels as a supererogatory sacrifice. The minimum number of animals a person is obligated to sacrifice is one sheep, or one-seventh portion of a camel or a cow (by sharing one-seventh of their price). A camel or a cow may be sacrificed on behalf of seven people. Jabir said: "We performed Hajj with the Prophet (peace be upon him), and we slaughtered a camel for seven persons, and a cow for seven persons." This was reported by Ahmad and Muslim.

For a sacrifice to be acceptable it is not necessary that all the partners should be of one mind. Thus if some do it for the pleasure of Allah, while others do it to obtain meat, it would still be valid. The Hanafi school, however, holds that a necessary condition for sacrificing is that all the partners must have the pleasure of Allah in mind while offering sacrifice.

When Is It Obligatory to Sacrifice a Camel?

Sacrificing a camel is not necessary except for a pilgrim who performs *tawaf* in a state of ritual impurity (*junub*) or a female pilgrim performs *tawaf* while still menstruating or in confinement after childbirth, or a pilgrim who has sexual intercourse with his wife after spending the Day at Arafah but before shaving (or clipping) the hair, or a pilgrim who vows to sacrifice a camel; in all such cases one must sacrifice a camel. And if a camel is not available then offer seven sheep instead.

Ibn 'Abbas reported that a man came to the Prophet (peace be upon him) and told him that he had to sacrifice a camel which he could easily afford but could not find. Thereupon the Prophet (peace be upon him) said to him,

"Buy seven sheep and sacrifice them instead." This is reported by Ahmad and Ibn Majah with a sound chain of narrators.

Kinds of Sacrifice

Sacrifice may be divided into two categories, one that is desirable, and the other that is obligatory.

As for the desirable one, an example of it is that which is required of pilgrims who perform Hajj only (Hajj *Ifrad*), or who perform 'Umrah only.

As to the obligatory sacrifice it may be one of the following:

1,2) That which is obligatory for those performing *Hajj Iqran* (combining Hajj and 'Umrah without a break in between), or *Hajj Tamattu'* (combining Hajj and 'Umrah but with a break in between).

3) That which is obligatory for a pilgrim who misses out an essential ritual of Hajj, e.g., throwing pebbles, or putting on *ihram* from a *miqat* (a place designated for entering into a state of *ihram*), or combining day and night while camping at Arafah, or spending the night at Muzdalifah or Mina or departing Makkah without performing *Tawaf al-Wida'* (Farewell circumambulation).

4) That which is obligatory for a pilgrim committing something forbidden in the state of *ihram*, other than sexual intercourse, wearing perfume or shaving.

5) That which is obligatory for committing a crime within the sacred precincts of *Haram*, like hunting or cutting trees within the Sacred precincts of *Haram*. All these have been explained above in their respective sections.

Conditions for Sacrifice

A sacrificial animal should satisfy the following conditions:

1) It should be two years old, if it is an animal other than a sheep. As for sheep, even a six month old lamb may be sacrificed, but it should be fat and healthy.

As for a camel, it must be at least five years old, a cow two years old, and a goat a year old at least.

2) It should be healthy and free from all physical defects. It should not be one eyed, nor should it limp, be mangy, or very thin and weak. Al-Hasan said that the scholars said: "If a man purchases a healthy animal for sacrifice, but later before its slaughtering it becomes sick or loses one eye or develops a limp in her legs, then such a person may slaughter it as a sacrifice and that will suffice him (to fullfil his obligation)." This was reported by Sa'id bin Mansur.

Selecting One's Own Sacrificial Animal

Malik has reported from Hisham bin 'Urwah and he from his father that he used to tell his sons: "O my sons! Do not slaughter an animal in the name of Allah such as you will be embarrassed to present as a gift to a close and

respected friend of yours. Allah is the Most Honorable and Most Generous, and He is the most deserving to be offered the best of what you have."

Sa'id bin Mansur reported that Ibn 'Umar once mounted in Makkah on a nice she-camel, which he liked very much, and said, "Excellent! Excellent!" admiring it. Then he dismounted, marked it as an offering, and a sacrifice for the pleasure of Allah.

Marking the Sacrificial Animal and Garlanding It

Ish'ar (or marking) means that a camel or cow to be slaughtered is marked by cutting off their humps on one side. This serves as a mark that they are intended for sacrifice so that no one should cause them any harm.

And *taqlid* or garlanding means putting a leather piece around the sacrificial animal's neck to mark it as such.

The Prophet (peace be upon him) garlanded the sheep that he had marked out for slaughtering and sent them with Abu Bakr to Makkah when he performed Hajj in the 9th year after Hijrah. It is affirmed by ahadith that the Prophet (peace be upon him) garlanded sacrificial animals, marked them and doned *ihram* for 'Umrah at the time of Hudaibiah. Most scholars, except Abu Hanifah, hold that marking the sacrificial animal is desirable.

Wisdom behind *Ish'ar* and *Taqlid*

The wisdom behind these two acts concerns reverence for Allah's commands, and an expression of that reverence, besides serving as a means of informing people that these animals are on their way to the House of Allah to be slaughtered there for His pleasure.

Riding the Sacrificial Animals

It is permissible to ride and benefit from the sacrificial animals (e.g., camels or cows). Allah says in the Qur'an (22:33): "In them (i.e., animals) you have benefits for a term appointed. In the end their place of sacrifice is near the Ancient House."

Dahak and 'Ata said: "Benefiting from them here means using them for riding when needed, and benefiting from their milk and wool." The phrase "appointed term" refers to the term when a pilgrim marks the animal for sacrifice until it is slaughtered. And the words "In the end their place is near the Ancient House" refer to the Day of Slaughter or Sacrifice (*Nahr*), the 10th of Dhul-Hijjah.

Abu Hurairah reported that the Prophet (peace be upon him) saw a man driving a she-camel to the place of slaughter. The Prophet (peace be upon him) said to the man, "Mount it." The man replied, "It is a sacrificial animal." The Prophet (peace be upon him) said to him twice or thrice, "Woe be to you! Mount it." This is reported by Bukhari, Muslim, Abu Daw'ud and Nasa'i. This is also the opinion of Ahmad, Ishaq and accords with a relatively well known position

of Malik. Ash-Shafi'i holds that a person may ride such an animal if he needs to.

Time of Slaughtering

There is disagreement among scholars about the time of slaughtering. According to Ash-Shafi'i it should be done on the Day of *Nahr*, 10th of Dhul-Hijjah, and during *Ayyam at-Tashriq* (the 11th, 12th or 13th of Dhul-Hijjah) in light of the Prophet's words "All the *Tashriq* days (10th, 12th and 13th of Dhul-Hijjah) are Days for Slaughtering" as reported by Ahmad.

If one missed slaughtering during these days, then one may slaughter an animal later on to make up for it.

Malik and Ahmad hold that regardless of whether the slaughtering of the animal is obligatory or a supererogatory act of worship it must be done during the appointed days. The Hanafi school also holds the same view concerning a pilgrim performing *Hajj Tamattu'* or *Hajj Qiran*. Such a pilgrim must slaughter the animal during the appointed (*tashriq*) days.

As opposed to this, a sacrifice in fullfilment of a vow, atonement of sins, and offered as a supererogatory act of worship may be offered any time during the year.

Abu Salmah bin Abdul Rahman and An-Nakh'i reported that the time for slaughtering is from the Day of *Nahr* to the end of Dhul-Hijjah.

Place of Slaughtering

A sacrifice whether it is obligatory (*wajib*) or voluntary cannot be done except within the Sacred Precincts of *Haram*. Anywhere within these precincts one may offer the intended sacrifice.

Jabir reported that the Prophet (peace be upon him) said, "All Mina is a place for slaughtering, and the entire Muzdalifah is a place for spending the night; and all roads of Makkah are passageways and places to offer one's sacrifice." This is reported by Abu Daw'ud and Ibn Majah.

It is preferable for a pilgrim, however, to offer his sacrifice at Mina. For a person performing 'Umrah it is preferable to offer his sacrifice near Marwah, as this is the place where pilgrims leave the state of *ihram* whether performing Hajj or 'Umrah.

Malik has reported that he was told that the Prophet (peace be upon him) said at Mina, "This is the place for offering sacrifice. All Mina is a slaughtering place." And speaking about 'Umrah, the Prophet (peace be upon him) said, "This — i.e. Marwah — and all roads and paths of Makkah are slaughtering places."

Slaughtering Camels in a Standing Position

It is desirable to slaughter camels in a standing position with their left legs tied as in the following ahadith:

1) Muslim reported from Ziyad bin Jubair that Ibn 'Umar came upon a man

who was slaughtering a camel while it was sitting. He said to the man, "Let it stand up, and tie its legs. This is the sunnah of your Prophet (peace be upon him)."

2) Abu Daw'ud reported from Jabir that the Prophet (peace be upon him) and his companions used to slaughter their sacrificial camels with their left legs tied and standing on three legs."

3) Hakim reported from Ibn 'Abbas concerning the Qur'anic verse (22:36) "then pronounce the name of Allah over them as they line up (for sacrifice)" he interpreted it to mean "as they line up and stand on three legs."

As for cows and sheep it is preferable to slaughter them in a lying position. According to some it is disliked to slaughter an animal standing that is to be slaughtered lying down and vice-versa. Others disagree and hold it is not disliked.

It is preferable to slaughter one's animal with one's own hands, if possible, otherwise one may assign someone else to do it on one's behalf, but one must be present there.

Butcher's Wages out of the Sacrifice?

It is not permissible to give a butcher his wages out of the meat of the animal. A butcher may, however, be given a portion of the meat in charity. This is based on the statement of Ali who said, "the Prophet (peace be upon him) ordered me to take care of his camels that were to be slaughtered and to distribute their meat, skins and everything else (among the needy people), but he ordered me not to give any portion of it to the butcher." And then he said, "We shall give him from ourselves." This is reported by the Group.

This hadith shows that one is permitted to designate someone else to slaughter the animal on one's behalf, distribute its meat, skin and other useful parts among others, but one is not permitted to give any portion of it in wages to the butcher. A butcher should, however, be paid for his work as the Prophet (peace be upon him) said, "We shall give him from ourselves."

It is reported that Al-Hasan said,"There is no harm in giving the skin of the animal to the butcher."

Eating the Meat of the Sacrificial Animal

Allah commands Muslims to eat of the animals slaughtered in sacrifice: "...eat you thereof and feed such as (beg not but) live in contentment and such as beg with due humility."[6]

Apparently this commandment applies to both the obligatory and supererogatory sacrifice. There is some disagreement among the jurists on this subject. Abu Hanifah and Ahmad are of the opinion that one may eat of the

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[6] Qur'an 22:36

sacrifice made for *Hajj Tamattu'*[7] or *Hajj Qiran*[8] or one that is offered voluntarily, but one may not eat of any other sacrifice.

Malik holds that one may eat of an animal sacrificed as a penalty for violating one's previous Hajj, or that which is sacrificed for missing one's Hajj, or a sacrifice offered by one performing *Hajj Tamattu'*, or any other animal offered in sacrifice, except a sacrifice offered as an atonement for killing a game or one that is vowed for the poor, and that which is offered voluntarily except when (it is feared) the animal will be spoiled before arriving at its place of slaughter.

Ash-Shafi'i holds that one is not permitted to eat of an obligatory sacrifice, e.g. an obligatory sacrifice offered in penalty, or a sacrifice made for killing a game, or one that is offered for spoiling one's Hajj, or one offered for *Hajj Tamattu'* or *Hajj Qiran*, and likewise that which one has vowed. In case of a voluntary sacrifice, however, one may eat thereof himself as well as give it to others.

Amount of Meat to be Eaten of the Sacrifice

A person offering a sacrifice may consume, without any restrictions, any amount of meat he may desire. He may likewise give away or offer in charity any amount he may wish. Some scholars said that one may eat half and give away the other half in charity, while others said that the meat be divided into three parts. Of these one may keep a part, distribute a part, and give in charity the third part.

Shaving or Clipping Hair

The practice of shaving or clipping hair is affirmed by the Qur'an, the Sunnah of the Prophet, and the consensus of the community. Says Allah: "Truly did Allah fulfil the vision for His Messenger: ye shall enter the Sacred Mosque, if Allah wills, with minds secure, heads shaved, hair cut short, and without fear."[9]

Both Bukhari and Muslim have reported that the Prophet (peace be upon him) said, "May Allah bless those who shaved." The Companions asked him, "O Allah's Messenger, what about those who clip their hair short?" Thereupon the Prophet (peace be upon him) again said, "May Allah bless those who shaved." They repeated their question the third time, and again the Prophet said, "May Allah bless those who shaved." When they asked him for the fourth time, "O Allah's Messenger, what about those who clip their hair short?" He said, "And (may Allah bless) those who clip their hair short.[10]

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[7] In which Hajj and 'Umrah are combined with a break.

[8] In which Hajj and 'Umrah are combined without a break.

[9] Qur'an 48:27.

[10] It is said that the reason for repeating supplication for those who shaved their hair is obviously to encourage people to shave rather than cut their hair short only, because by shaving off one's hair one demonstrates one's sincerity and humility to Allah without caring for one's physical appearance.

Both Bukhari and Muslim also report that the Prophet (peace be upon him) shaved his head, and so did a group of his Companions, while others only cut their hair short.

Shaving here means removing hair of the head with a razor, etc., or plucking them out. It suffices one, however, to remove only as many as three hairs. And cutting the hair short means cutting the length of one fingertip of the head's hair. The majority of jurists disagree concerning this issue.

Most scholars hold that shaving or cutting the hair short is obligatory, and one failing to do so must slaughter an animal to atone for this omission. According to the Shafi'i school it is an integral part of Hajj.

Time of Shaving

A pilgrim may shave or cut his hair short right after throwing the first pebbles at Jamarah Al-Aqabah on the Day of *Nahr* - the 10th of Dhul-Hijjah. If, however, a pilgrim has with him animals to be slaughtered then he can shave or cut his hair short only after having slaughtered these animals.

In a hadith reported by Ma'mar bin Abdullah we read that the Prophet (peace be upon him) slaughtered his sacrificial animal at Mina and said, "He has commanded me to shave (my head)." This was reported by Ahmad and At-Tabarani.

The time to shave or cut one's hair short while performing 'Umrah is right after completing *Sa'i* — seven rounds — between Safa and Marwah. As for those who bring their sacrifical animals with them, they may shave right after they slaughter them.

At the time of shaving or cutting one's hair short, according to Abu Hanifah and Malik, one must be in *Haram* (within the prencincts of the Sacred Mosque) and it must be during the Days of *Nahr* — 10th, 11th, 12th and 13th of Dhul-Hijjah. A narration from Ahmad, based on the above hadith, supports this opinion.

Ash-Shafi'i, Mohammad bin Al-Hasan, and, according to his well known position, Ahmad, are of the view that shaving or cutting of one's hair short must be done within the Sacred Precincts of *the Haram*, but not necessarily during the Days of *Nahr*. If one delays shaving one's head until after these days one may do so without any harm or incurring any penalty.

Etiquette of Shaving or Cutting Short One's Hair

It is liked that while shaving the head one should first shave the right half, then the left side, while facing the direction of Qiblah, uttering *Allahu Akbar*, and offering a two rak'ah prayer at the end of it. Waki' said, "Abu Hanifah once told me: 'I was mistaken concerning five rites of Hajj and a cupper taught these to me and corrected me. This happened when I went to a cupper and asked him, "How much will you charge for shaving my head?" The cupper said, "Are you from Iraq?" I said, "Yes." The cupper said to me,

"Sit down, this is a rite of Hajj, and on it no conditions must be placed." I sat down with my face slightly away from the direction of Qiblah. At this he said, "Turn your face toward the Qiblah." I turned the left side of my head to him to shave it first whereupon he said, "Turn over the right side of your head (that I may shave it first)." I turned the right side to him and he began shaving while I sat quiet. He again said, "Say *takbir*" which I did, until when I got up to leave, he said, "Where are you going?" I said, "I am going to my camp." He said, "Offer a two rak'ah prayer first, then leave." I asked him, "Where did you learn all this?" He replied, "I have seen 'Ata bin Abi Rabah doing this."'"' This was reported by Al-Muhib Al-Tabari.

Passing Razor over a Bald Man's Head

The majority of scholars is of the opinion that in the case of a bald man, who has little or no hair at all, it is desirable to pass a razor over his head. Ibn-ul-Mundhir said, "All reliable scholars agree that a razor be passed over the head of a bald man." In Abu Hanifah's opinion passing razor over the head of a bald man is obligatory.

Clipping one's Nails and Shortening Moustaches

It is desirable for those who shave or cut short their hair (as pilgrims) to also clip their finger nails and shorten their mustaches. Whenever Ibn 'Umar shaved or cut short his hair in Hajj or 'Umrah, he would always clip his finger nails and shorten his moustaches.

Ibn al-Mundhir said, "It is confirmed that when the Prophet (peace be upon him) shaved or cut short his hair he clipped his finger nails as well."

A Woman to Shorten Her Hair but Forbidden to Shave

Abu Daw'ud and others reported from Ibn 'Abbas that the Prophet (peace be upon him) said, "Women (pilgrims) do not have to shave (their heads); they may only shorten their hair." Al-Hafiz considers this a sound hadith.

Ibn Al-Mundhir said, "There is agreement among the scholars on this, because shaving a woman's head is in fact a sort of punishment for her."

How Much of Her Hair a Woman is to Cut Off

Ibn 'Umar said, "When a woman (pilgrim) wants to cut off her hair, she may hold her hair at the front and cut it off about the length of the tip of a finger." In 'Ata's opinion, while cutting her hair, a woman should cut it off her sides, of the long hair as well as the short ones. This is reported by Sa'id bin Mansur. Others hold that there is no limit as to how much a woman may cut off her hair. The Shafi'i school holds that cutting as much as three hairs is enough for a female pilgrim.

Tawaf Al-Ifadah

There is consensus among the Muslims that *Tawaf Al-Ifadah* is one of the essentials of Hajj, and if someone fails to observe it his Hajj is void. The Qur'an (22:29) says: "Then, let them complete the rites prescribed for them, perform their vows, and (again) circumambulate the Ancient House". According to Ahmad a pilgrim must make a definite intention for its performance.

All the other three Imams hold that having the intention to perform Hajj covers and applies to all its rites including *Tawaf Al-Ifadah.*

The majority of scholars holds that *Tawaf Al-Ifadah* is comprised of seven rounds of the Ka'bah. Abu Hanifah, however, is of the view that only four of the seven rounds are essential in Hajj, and if these (four) are missed the Hajj of a person becomes void. The remaining three rounds are necessary (*wajib*) but not essential. A pilgrim abandoning one or all of these three rounds misses a necessary part, but it does not invalidate his Hajj, although he is required to offer a sacrifice of an animal in atonement for it.

Time for *Tawaf Al-Ifadah*

According to Ash-Shafi'i and Ahmad, the time for it is from the midnight of the Day of *Nahr*, the 10th of Dhul-Hijjah, and its end is indefinite. A male pilgrim is, however, not permitted to have sexual intercourse with his wife until after he completes *Tawaf Al-Ifadah.* Delaying it beyond the 11th, 12th and 13th of Dhul-Hijjah, does not obligate a person to slaughter an animal, but it is disliked.

The best time for performing this *Tawaf* is before noon on the Day of *Nahr*, the 10th of Dhul-Hijjah. According to Abu Hanifah and Malik its time is from the dawn on the Day of *Nahr*, though concerning its end there is disagreement among scholars.

Abu Hanifah holds that it must be performed during the Days of Nahr, but if a pilgrim delays it beyond these then he must slaughter an animal in atonement for it. Malik, on the other hand, is of the view that there is no harm in delaying this rite until after the 13th of Dhul-Hijjah, though doing it earlier (during the Days of *Tashriq*) is better. Its time is until the end of the month of Dhul-Hijjah, and if it is performed after it, then one must slaughter an animal in atonement. The Hajj of such a person will still be valid, for the whole month of Dhul-Hijjah, according to Malik, is included in the months of Hajj.

Women and *Tawaf Al-Ifadah*

For women it is desirable to perform *Tawaf Al-Ifadah* early on the Day of *Nahr*, if they fear they will begin to menstruate. 'Aishah used to order the women (pilgrims) to perform it on the Day of *Nahr* — 10th of Dhul-Hijjah, as a precaution against the menses.

'Ata said, "If a woman (pilgrim) is afraid of her monthly period, she may

perform the *Tawaf* of Ka'bah before throwing the pebbles at Jamarah Al-Aqabah, and even before her sacrificial animal is slaughtered.

There is no harm in a woman pilgrim using any medicine to delay her periods so as to perform this *Tawaf.*

Sa'id bin Mansur reported that Ibn 'Umar was asked about a woman that takes some medicine to delay her periods. At this he said he saw no harm in it, and told them to use water of Arak instead.

Mohibbuddin Al-Tabri said, "If it can be delayed in this case then it can also be delayed in (determining) the period of *'iddah*, and all other situations. On the same principle, medicines may be used to induce monthly periods.

Staying in the Valley of Al-Mohasab

It is established that the Prophet (peace be upon him) on his way from Mina to Makkah rested for a while at Al-Mohasab, where he offered *Zuhr, 'Asr, Maghrib* and *'Isha* prayers. Ibn 'Umar would always do likewise.

There is disagreement among the scholars as to its desirability. 'Aishah said that the Prophet (peace be upon him) rested at Al-Mohasab because it was easier to do so, but it is not a sunnah. Hence, one may or may not do so.

Al-Khattabi said that it was something practiced before but was later on abandoned. Tirmidhi said that some scholars liked to rest at Al-Abtah without treating it as necessary, except those who liked it.

The wisdom of resting at this place is to thank Allah for what He bestowed upon His Prophet (peace be upon him) in the form of victory over his enemies who boycotted Banu Hashim and Banu Al-Mutallib and foreswore that they will neither marry their women nor sell anything to them unless they hand over the Prophet (peace be upon him) to them.

Ibn Al-Qayyim said, "The Prophet (peace be upon him) intended to proclaim the rites of Islam at a place where disbelief, blasphemy, and hostility to Allah and His Messenger were dominant."

This was the usual practice of the Prophet (peace be upon him). He would use every opportunity to proclaim the Oneness of Allah at places once dominated by symbols of disbelief and polytheism. One such example is that the Prophet (peace be upon him) ordered that a Mosque in Ta'if be built in the same place where once idols of Lat and 'Uzza stood.

Chapter Fourteen

'UMRAH

In Arabic the word 'Umrah is derived from *al-i'timar* which means a visit. Here it means paying a visit to Ka'bah, performing *tawaf* around it, walking between Safa and Marwah seven times, and then shaving one's head or cutting one's hair short.

There is consensus among scholars that it is a prescribed worship. Ibn 'Abbas reported that the Prophet (peace be upon him) said, "An 'Umrah in the month of Ramadan is equal (in reward) to performing a Hajj."[1] This was reported by Ahmad and Ibn Majah.

Abu Hurairah reported that the Prophet (peace be upon him) said, "From one 'Umrah to the next is an atonement for any sins committed in between, and the reward for an accepted Hajj is nothing but Paradise." This was reported by Ahmad, Bukhari and Muslim.

Repeated Performance of 'Umrah

Nafi' said, "During the rein of Ibn Az-Zubair, Abdullah bin 'Umar performed an 'Umrah twice a year."

Al-Qasim said, "Aishah performed three 'Umrahs in one year."

Some people asked if any of the scholars criticised her for this. He replied, "May Allah be blessed! (Criticise) the Mother of Believers?!!" The majority of scholars supports this view. Malik, however, holds that the repetition of 'Umrah more than once a year is disliked.

'Umrah Before and During the Months of Hajj

A person may perform 'Umrah during the months of Hajj, without performing Hajj. 'Umar performed 'Umrah during the month of Shawwal and returned

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This does not, however, remove from one the obligation of performing the obligatory Hajj.

to Madinah without performing Hajj. One may, like 'Umar, perform 'Umrah even before Hajj.

Taw'us said, "In the Days of Ignorance the Arabs considered performing an 'Umrah during the months of Hajj as one of the major sins. And they used to say, "When (the month of) Safar ends, and the camels are back, and wounds in their legs are healed, and when traces of footprints (of pilgrims) are effaced, then one wishing to perform 'Umrah may do so."

After the advent of Islam, the people were commanded to perform 'Umrah even during the months of Hajj. Thus, the 'Umrah was permitted during the months of Hajj till the Day of Judgement.

'Umrahs Performed By the Prophet

Ibn 'Abbas reported that the Prophet (peace be upon him) performed four 'Umrahs in his lifetime: 'Umrah of Hudaibiyah, one that he performed to make up for another missed 'Umrah, a third that he performed going forth from Al-Ji'rannah, and the fourth he combined with his Hajj. This was reported by Ahmad, Abu Daw'ud and Ibn Majah, with a sound chain of authorities.

Its Legal Status

According to the Hanafi school and Malik, 'Umrah is a sunnah, as described in this hadith reported from Jabir who said, "The Prophet (peace be upon him) was once asked about 'Umrah, and whether it was obligatory (*wajib*), to which he replied, 'No, it is not, but it is better if you perform it.'" This was reported by Ahmad and Tirmidhi who consider this a sound hadith.

The Shafi'i school, and Ahmad hold it to be obligatory (*fard*) in the light of the words of Allah (Qur'an 2:196) "And complete the Hajj and 'Umrah in the service of Allah." In the above verse 'Umrah is mentioned along with Hajj, which is obligatory, which means 'Umrah must likewise be obligatory, even though the former is preferable.

The author of *Fath ul 'Alam* says, "On this subject no decision can be made on the basis of ahadith."

Tirmidhi has reported that Ash-Shafi'i said, "There is no evidence concerning 'Umrah; it is only a supererogatory act of worship."

Time for 'Umrah

The majority of scholars is of the opinion that 'Umrah may be performed any time during the year. Abu Hanifah, however, is of the opinion that it is disliked to perform 'Umrah on five days: the Day of 'Arafah, the Day of Nahr (the 10th of Dhul-Hijjah), and the three days of *Tashriq* (11th, 12th, and 13th of Dhul-Hijjah).

Abu Yusuf considers it disliked on the Day of 'Arafah, and during the three following days. All of them, however, agree on the permissibility of

performing 'Umrah during the months of Hajj.

Bukhari has reported from 'Ikrimah bin Khalid that he said, "I asked Abdullah bin 'Umar about performing 'Umrah before Hajj, whereupon he said, 'There is no harm in doing so, because the Prophet (peace be upon him) himself performed 'Umrah before the Hajj.'"

Jabir reported that 'Aishah's menstruation started while she was performing Hajj, but she performed all the rites of Hajj except *tawaf* around Ka'bah. When her period ended and she was clean, she performed the *tawaf*, and said, "O Prophet of Allah! Everyone has performed Hajj and 'Umrah together, but I have performed Hajj only." Thereupon the Prophet (peace be upon him) commanded her brother Abdur Rahman to accompany her to Tan'im (in order to perform 'Umrah). So she performed 'Umrah right after Hajj in the month of Dhul-Hijjah.

The best time to perform 'Umrah is during the month of Ramadan.

Miqat for 'Umrah

In case a person intending to perform 'Umrah is outside the *miqat* fixed for Hajj, it is not permitted for him to cross these *miqats* (places fixed for *ihram*) without declaring *ihram*.

Bukhari has reported that Zaid bin Jubair came to Ibn 'Umar and asked him, "Wherefrom should I declare my intention to perform 'Umrah?" He replied, "The Prophet (peace be upon him) has set Qarna as the *miqat* for the people of Najd (from where they must declare their *ihram*), and similarly for the people of Madinah he set Dhul Hulaifah, and for the people of Syria Al-Johfah as their *miqats*."

One who is already well within the confines of the *miqat* area — even if one is within the Sacred Precincts of Haram itself — must go out to the *miqat* and declare *ihram* from there, as is obvious from the above hadith of Bukhari which says that 'Aishah was commanded by the Prophet (peace be upon him) to go to Tan'im (the *miqat*) and put on her *ihram* for 'Umrah from there.

Farewell *Tawaf*

This is called the Farewell *Tawaf* because by this a pilgrim bids farewell to Ka'bah, the House of Allah. It is also known as *Tawaf As-Sadr* (*Tawaf* Before Departing) because it marks the departing of pilgrims from Makkah. In this there is no jogging (*ramal*), and it is the last rite performed by a non-resident pilgrim in Makkah before leaving for his home. Malik has reported in *Al-Muwatta* that 'Umar said, "The last rite of Hajj is *tawaf* around the Ka'bah."

As for residents of Makkah, and the menstruating women (pilgrims), they are not obligated to perform it, nor to pay any atonement for missing it. Both Bukhari and Muslim reported from Ibn 'Abbas that he said, "A menstruating

woman (pilgrim) is permitted to depart (without performing the Farewell *Tawaf*)." According to another report, he said: "People were ordered to make the *tawaf* of the Ka'bah their last rite; the menstruating women were, however, excused from it."

It is also reported by Muslim and Bukhari that Safiyah, the wife of the Prophet (peace be upon him) had her monthly period during Hajj. When the Prophet (peace be upon him) was informed about this, he said, "Is she going to hold us here (till she performs her rites of Hajj)?" He was told that she had already performed all her Hajj rites except the Farewell *Tawaf*. The Prophet (peace be upon him) said, "There is no harm then, (let us go)."

Legal Status of Farewell *Tawaf*

There is agreement among the Muslim scholars that the Farewell *Tawaf* is prescribed by law. Both Muslim and Abu Daw'ud reported from Ibn 'Abbas that he said, "The people (pilgrims) used to leave Makkah in every other direction (and haphazardly). Thereupon the Prophet (peace be upon him) said, "Let none of you leave Makkah before making a *Tawaf* around the Ka'bah, as the last of Hajj rites."

There is disagreement, however, about its legal position. Malik, Dawu'd, and Ibn Al-Mundhir say it is sunnah and by leaving it one does not incur any penalty. Ash-Shafi'i is also of this view. The Hanafi and Hanbali schools, and, according to one report, Ash-Shafi'i, hold that it is obligatory, and a pilgrim who misses it must slaughter an animal to atone for it.

Time for Farewell *Tawaf*

One should perform this rite after finishing all other rites and just before leaving Makkah so that it is the last rite one performs as a pilgrim, as mentioned in the hadith given above.

After the completion of the Farewell *Tawaf* a pilgrim must leave Makkah, without engaging in any selling or buying or staying on for long thereafter. A person engaging in any of these must repeat his *Tawaf* before leaving Makkah. One may, however, stop for a while in order to purchase necessary provisions.

When departing, it is recommended that one should supplicate to Allah in these words as transmitted by Ibn 'Abbas:

Allahumma inni 'abduka wa ibnu 'abdika wa ibnu 'amatika. Hamalatni 'ala ma sakhartali min khalqika wa satartani fi biladika hatta ballaghtani - bini'matika - ila baitika, wa a'antani 'ala ada-i nusuki, fa-in kunta radita 'anni faz-dud 'anni ridan, wa illa

اللهم إني عبدك ، وابن عبدك ، وابن أمَتك
حَمَلْتني على ما سخرت لي من خلقك ،
وسترتني في بلادك حتى بلّغتني - بنعمتك -
إلى بيتك ، وأعنتني على أداء نُسكي ، فإن
كنت رضيت عني فازدد عني رضاً ، وإلا

fa-minal aana farda 'ani qabla an tan'a 'an baitika dari. Fa hadha awanu insirafi in azintali ghaira mustabdilin bika wa la bi-baitika, wa la raghibun 'anka wa la 'an baitika. Allahumma fa-as-hebnil al 'afiyata fi badani wa sihata fi jismi wal 'ismata fi dini, wa ahsen munqalabi, warzuqni ta'ataka ma abqaitani, wajma' li baina khairai-dunyia wal akhirata, innaka 'ala kuli shai'in qadeer

فمن الآن فارض عني قبل أن تناى عن بيتك داري. فهذا أوان انصرافي إن أذنت لي غير مستبدل بك ولا ببيتك ، ولا راغب عنك ، ولا عن بيتك ، اللهم فاصحبني العافية في بدني ، والصحة في جسمي ، والعصمة في ديني ، وأحسن منقلبي ، وارزقني طاعتك ما أبقيتني ، واجمع لي بين خيري الدنيا والآخرة ، إنك على كل شيء قدير.

"O Allah! I am your slave, son of your slave, son of your maid slave. You enabled me to mount what You subjected to my service of Your creation. You protected me in this land of Yours, until You, by Your grace, brought me to Your House. You helped me perform rites of Hajj. O Allah! If You are pleased with me, increase Your pleasure with me. Otherwise, grant me Your pleasure before I depart from Your House. O Allah, now is the time for me to depart, by Your leave, without changing (my attitude) toward You and Your House, nor turning away from You or Your House. O Allah, grant me health in my body, purity in my religion, bless my return, and help me to obey You until You cause me to live, and combine for me the good of this world and the world to come. You have power over all things."

Ash-Shafi'i said, "I like that when leaving the House of Allah, a pilgrim should stand by Al-Multazim, and then make the supplication mentioned in the above hadith."

On Performing Hajj and 'Umrah: A Brief Summary

On approaching the *miqat* (the place fixed for taking on *ihram*), a pilgrim should trim his moustache, cut short his hair, clip his finger nails, and take a bath or make ablution, wear some perfume, and then don the *ihram*. He should offer a two rak'ah prayer, and then declare his or her intention to perform Hajj, or Hajj and 'Umrah, or 'Umrah only, as the case may be.

Wearing *ihram* and declaring intention for Hajj or 'Umrah is an essential part of both, and neither will be correct without these.

Specifying the kind of Hajj, whether it is *ifrad* (Hajj only), *tamattu'* (Hajj and 'Umrah combined with a break in between), or *qiran* (Hajj and 'Umrah without a break), is not essential. If someone makes an intention of performing Hajj without specifying the kind, his *ihram* will still be valid, and he may perform any of the three kinds of Hajj.

As soon as he enters the state of *ihram* a pilgrim must utter *talbiyah* loudly, whenever he climbs a hill or goes down a valley, meets a group or a person,

early in the morning, and after every prescribed prayer.

When in a state of *ihram*, a person must avoid sexual intercourse and all things that lead to it; he must avoid wrangling and useless bickering, nor must he marry or join others in marriage.

A *muhrim* must not wear any sewn clothes or shoes that cover his feet above his ankles. He must not cover his head, nor use any perfume, nor cut his hair or nails, nor engage in hunting any game, nor cut trees or grass within the Sacred Precincts of Haram.

When entering Makkah it is desirable that a pilgrim enter from its high side, if possible, after taking a bath at the Dhi Tawa well in Zahir. Then he should go to the Ka'bah and enter the Sacred Mosque from the gate called Bab As-Salam, while uttering supplications of entry into the mosques and observing other etiquette of entry with humility, fear, and *talbiyah* on his tongue.

On seeing the Ka'bah, he should raise his hands and supplicate to Allah for His bounties. Then he should directly proceed to the Black Stone, kiss it quietly or touch it with his hand and kiss the hand. If this is not possible and one cannot reach the Black Stone, one may just point toward it from a distance.

After this one should begin his *tawaf* around the Ka'bah supplicating in words transmitted from the Prophet (peace be upon him).

In the first three rounds it is liked that the (male) pilgrim uncover his right shoulder and jog at a slow pace. In the remaining rounds he may walk at a normal pace. It is sunnah to touch in every round the Yemeni Corner and to kiss the Black Stone. After completing (seven rounds of) the *tawaf* the pilgrim should go to the Station of Ibrahim in compliance with the command of Allah "And take the Station of Ibrahim as a place of prayer."[2] There he should pray two rak'ahs of *tawaf*.

Now he should go to the well of Zamzam and drink of its water as much as possible. Thereafter the pilgrim goes to Al-Multazim and stands there and supplicates for himself to Allah for whatever good he may wish for in this world and the hereafter. After this he should (if possible) go to the Black Stone, and kiss it.

Then he should approach the (hill of) Safa through the As-Safa gate to begin his *Sa'i* in compliance with Allah's words "Behold! Safa and Marwah are among the symbols of Allah. So if those who visit the House in the season or at other times, should compass them, it is no sin."[3] He should climb the Safa, look towards Ka'bah, and then make supplication to Allah, using one transmitted from the Prophet (peace be upon him). After this he should climb down and start walking toward the (hill of) Al-Marwah as a start of his seven round walk between the two hills, while remembering Allah and supplicating to Him.

On approaching one of the two green markers, he should jog to the second green marker. And after that he should resume his normal walking speed toward Al-Marwah. Upon reaching Al-Marwah he should climb it, turn toward Ka'bah,

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[2] Qur'an 2:125

[3] Qur'an 2:158.

and make supplications and glorify Allah. This will complete his one round. Then he should make the remaining six rounds in like manner, completing all seven rounds.

This *Sa'i* is an essential (*wajib*) ritual of Hajj, and any pilgrim failing to perform it or a part of it must slaughter an animal to atone for this omission. Finally, if he is performing a *Hajj Tamattu'* (Hajj with an 'Umrah with a break between the two), he should either shave off his head or trim his hair short. This would release him of all the restrictions of the state of *ihram*, and all things that were prohibited to him in that state become permissible for him, including sexual intercourse with his wife.

Those who intend to perform a *Hajj Ifrad* (Hajj only) or *Hajj Qiran* (Hajj and 'Umrah together without a break) they must continue in the state of *ihram*. On the 8th of Dhul-Hijjah those intending to perform *Hajj Tamattu'* will once more resume *ihram* from their residences and proceed to Mina, along with those who had continued in a state of *ihram*, and spend the night there.

At sunrise of the 9th of Dhul-Hijjah the pilgrims leave for Arafah, and (if possible) stay by the Mosque of Namira. There they take a bath and offer *Zuhr* and *'Asr* prayers, making *Qasr* (shortening the prayers) and combining them at the earliest time behind an imam. If this is not possible then one may pray alone, as best as one can, combining and shortening the two prayers.

Pilgrims' stay at Arafah begins only after the sun has passed its zenith. During this time one should stand by the rocks (of Arafah) or as close as possible, because this is where the Prophet (peace be upon him) used to take his stand. Staying at Arafah is the principal rite of Hajj, but climbing the Mount of Mercy is neither a sunnah nor should it be attempted.

During this stay one should face the direction of Qiblah, glorify Allah and remember Him, and supplicate to Him as much as possible until nightfall.

After nightfall the pilgrims must leave for Muzdalifah, and reaching there, offer *Maghrib* and *'Isha* prayers, combining them and offering them toward the the end of the usual time, and then spend the night there.

At dawn the pilgrims stand by *Al-Mash'ar al Haram* (the Sacred Monument), and remember and glorify Allah until it is broad daylight. Thereafter they should return to Mina after picking up their pebbles from Muzdalifah.

Standing by the Sacred Monument is essential (*wajib*), and anyone failing to do so is required to offer a sacrifice in atonement.

After the sunrise, a pilgrim must throw seven pebbles at Jamarah Al-Aqabah. Then he should slaughter his sacrificial animal, if possible, shave off or cut his hair short. This will release him from the restrictions of *ihram*, and he may engage in any normal activity except sexual intercourse with his wife.

He must then return to Makkah to perform *Tawaf Al-Ifadah*, an essential part of Hajj, and also known as *Tawaf Az-Ziyarah*. He should perform it in the same manner as he had earlier performed *Tawaf Al-Qudum*. If the pilgrim is performing *Hajj Tamattu'*, he must perform a *Sa'i* after this *Tawaf Al-Ifadah*. For a pilgrim performing *Hajj Qiran* or *Ifrad*, this second *Sa'i* is not essential, if on arriving in Makkah he had performed a *Tawaf Al-Qudum*.

After this *tawaf* — *Tawaf Al-Ifadah* — a pilgrim may engage in all normal lawful activities including sexual intercourse with his wife.

The pilgrim must now return to Mina and stay overnight there. This overnight stay at Mina is essential and for abandoning it one must atone by offering a sacrifice.

After midday on the 11th of Dhul-Hijjah, the pilgrim must throw pebbles at the three Jamarahs, starting with the one nearest to Mina, then the middle one, and stand for a while invoking and supplicating to Allah. Then he should go to the last Jamarah, throw pebbles at it, and leave without stopping there. A pilgrim should finish throwing pebbles at the three Jamarahs well before the sunset. On the 12th of Dhul-Hijjah he should repeat the rites of the previous day.

Having thrown the pebbles a pilgrim is free either to return to Makkah before the sunset of the 12th of Dhul-Hijjah, or spend the 13th of Dhul-Hijjah as well in Mina, and throw pebbles at the Jamarahs.

Throwing pebbles is an essential rite of Hajj and for failing to do so one must offer a sacrifice.

After returning to Makkah if the pilgrim desires to return to his home country he must perform *Tawaf Al-Wida'* or Farewell *Tawaf*, which is also an essential rite of Hajj. In case he is unable to perform it, and if he has not crossed the *miqat*, he should return to Makkah and perform it, or else sacrifice a sheep.

In short, the essential rites of Hajj and 'Umrah are: declaring *ihram* from *miqat*, *tawaf*, *Sa'i*, *halq* (shaving one's hair) or *qasr* (or cutting one's hair short). With these the rituals of 'Umrah are completed.

In the case of Hajj one has to perform certain additional rites. The essential rites of Hajj are spending a Day at Arafah, throwing pebbles at Jamarahs, *Tawaf Al-Ifadah*, staying in Mina, slaughtering an animal, shaving or cutting one's hair short.

This is a brief summary of all the rites of Hajj and 'Umrah.

Going Back Home After the Hajj

Abu Hurairah reported that the Prophet said, "Traveling is but a sort of torture. One is prevented from (properly) eating and drinking. So when one of you (travels and) accomplishes his work, he must hasten back to his family." This is reported by Bukhari and Muslim. 'Aishah reported that the Prophet (peace be upon him) said, "When one of you has performed Hajj, he should hasten back to his family, for that will increase his reward." This was reported by Ad-Daraqutni.

Muslim has reported from Al-'Ala bin Al-Hadrami that the Prophet (peace be upon him) said, "A pilgrim from abroad may stay for three (days) after completing his Hajj."

Al-Ihsar (Or Blockading)

Al-Ihsar (as used in the Qur'an) means blocking the path to the House

of Allah. Allah says, "And complete the Hajj or 'Umrah in the service of Allah. But if you are prevented (from completing it) send an offering for sacrifice."[4]

This verse was revealed at the time of Hudaibiah when the Prophet (peace be upon him) was prevented from visiting the Sacred Mosque. By implication it means being prevented from making *tawaf* in the case of 'Umrah, or spending the Day at Arafah and making *Tawaf Al-Ifadah* in the case of Hajj.

There is disagreement among the scholars, however, on what constitutes a state of prevention or blockading. Malik and Shafi'i hold that such a state refers to a blockade by an enemy, for the verse was revealed about the Prophet (peace be upon him) who was blocked from performing an 'Umrah. Ibn 'Abbas also holds a similar view.

Most scholars including the Hanafites and Ahmad, however, are of the opinion that a person is deemed blocked when he is prevented from approaching the House of Allah, by reason of an enemy force[5] or a sickness which could worsen by motion or travel, a state of fear (and insecurity), loss of provisions, or in the case of a woman, the death of her *mahram* accompanying her, or any other similar cause. Ibn Mas'ud even gave a verdict that a man bitten by a snake is also considered among the prevented ones.

These scholars base their argument on the fact that the words "But if you are prevented" used in the above Qur'anic verse about the Prophet (peace be upon him) are general and are not limited to any specific cause of prevention. This is the strongest view on this subject.

Prevented Person to Slaughter a Sheep or a Bigger Animal

The verse is quite clear in that a prevented person may slaughter any animal he is able to afford. Ibn 'Abbas reported that when the Prophet (peace be upon him) was prevented from performing 'Umrah (by the Quraish) he shaved his head, consorted with his wives, and slaughtered his animal. The next year he performed an 'Umrah to make up for the year that he had missed. This was reported by Bukhari. The majority of scholars in light of this hadith hold the view that a prevented person must slaughter a sheep, a cow or a camel. Malik, however, differs with this opinion and says slaughtering an animal is not essential.

The author of *Fath ul 'Alam* remarks, "Malik is right in his opinion, because all the Companions of the Prophet (peace be upon him) who were prevented with him (at Hudaibiyah) did not have animals with them to slaughter after they were unable to perform 'Umrah. The Prophet (peace be upon him) slaughtered his animal which he had brought along with him from Madinah." There is no implication of any obligation in the verse. Rather, it is the Prophet (peace be upon him) who is referred to in the Qur'anic verse (48:25): "They are the ones who denied revelation and hindered you from the Sacred Mosque

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[4] Qur'an 2:196.

[5] A force of disbelievers or a rebel group.

and sacrificial animals."

Place for Slaughtering the Prevented Animals

The author of *Fath ul 'Alam* says: "The scholars disagree concerning the place of slaughter on the Day of Hudaibiah whether it was within or outside the Sacred Precincts of Haram. Apparently the words of Allah "and they hindered you from the Sacred Mosque and sacrificial animals" suggest that the animals were slaughtered outside the Sacred Precincts of Haram. There are various views concerning this. One view — the majority view — is that a prevented person may slaughter his sacrificial animal within or outside the Sacred Precincts of *Haram*. Another view, the view of the Hanafi School is that he must slaughter it within the Sacred Precincts of Haram. A third view, the view of Ibn 'Abbas and a group of scholars, is that if a prevented person is in a position to send his sacrificial animal to the Precincts of Haram he must slaughter it there, and only then terminate his *ihram*. If this is not possible then he may slaughter it at the place where he is prevented.

A Prevented Person Not Required to Repeat His Hajj Except the Obligatory Hajj

Commenting on the Qur'anic verse "But if you are prevented (from completing it) send an offering for sacrifice," Ibn 'Abbas said, "If one intended to perform either Hajj or 'Umrah, but was prevented from approaching the House of Allah, then he must slaughter whatever animal he can afford, a sheep or a larger animal."

If a person intended to perform the obligatory Hajj (and he was prevented), he must make it up later, but if he was intending a supererogatory Hajj, he does not have to make up for it.

Malik said that he was told that the Prophet (peace be upon him) and his Companions came to Hudaibiah, and there they slaughtered their animals, shaved their heads, terminated their *ihram*, and resumed their normal course of life, without having first made *Tawaf* of Ka'bah or without the sacrificial animals reaching the Ka'bah.

Likewise there is no record, according to Bukhari, that the Prophet (peace be upon him) ordered his Companions to make up for their (missed) 'Umrah or return to the Sacred Mosque to repeat it, although Hudaibiah is outside the Sacred Precincts of Haram.

Ash-Shafi'i holds that a prevented person may slaughter his sacrificial animal at the place he is stopped and terminate his *ihram* and resume his normal life. He is not required to make up for what he missed, because Allah has not mentioned any such thing.

Ash-Shafi'i adds, "For we know from the recorded reports that some of the people who were with the Prophet (peace be upon him) at the time of Hudaibiah did not return the next year to make up for their missed 'Umrah.

They were not forced to stay back for any excuse, sickness or worldly business. If making up for the 'Umrah were essential the Prophet (peace be upon him) would have certainly commanded them to join him and not to stay back."

Continuing, he further says, "This 'Umrah was called the "*'Umrah tul Qada* (or 'Umrah performed in order to make up for the missed 'Umrah)" because of the the dispute between the Prophet (peace be upon him) and the Quraish, and not because it was essential (*wajib*) and had to be made up later by another 'Umrah."

A *Muhrim* Terminating *Ihram* Because of Illness or Some Other Reason

Many scholars hold it to be permissible for one to set a condition when entering the state of *ihram* that one will be relieved of it if one fell ill. Muslim has reported from Ibn 'Abbas that the Prophet (peace be upon him) told Daba'ah, "Perform Hajj but set a condition that you shall be relieved of the *ihram* whenever you are prevented (due to illness, etc.,)."

In such a case if a pilgrim is prevented from performing Hajj or 'Umrah for any reason, illness or something else, he may terminate his state of *ihram* and not be required to slaughter any animal, or fast in atonement.

Covering of the Ka'bah

In the pre-Islamic period the Arabs used to cover the Ka'bah with a cloth covering. When Islam prevailed it retained this tradition. Al-Waqidi has stated that Isma'il bin Ibrahim bin Abu Habibah reported from his father that in the Days of Ignorance the Ka'bah was covered with rugs made of red skin. Later on the Prophet (peace be upon him) covered it with Yemeni cloth, while 'Umar and 'Uthman covered it with an Egyptian white cloth, Qabati. Hajjaj covered it with silk brocade.

The first one to cover it was a man from Tubba' of Yemen called As'ad al-Himairi.

Ibn 'Umar used to choose the best and most expensive Qabati, Egyptian cloth, and send it as covering for the Ka'bah. This is reported by Malik.

Al-Waqidi has also reported from Ishaq bin Abu Abd bin Abu Ja'far Mohammad bin Ali that he said, "The people used to send cloth coverings for the Ka'bah, and likewise they sent to it sacrificial camels loaded with Yemeni cloth."

Yazid bin Mu'awiyah covered it in silk brocade, and so did Ibn Az-Zubair afterwards. He used to delegate Mus'ab bin Az-Zubair to send a covering for the Ka'bah which was changed on 'Ashura (the 10th of Muharram).

Sa'id bin Mansur has reported that "Umar bin Al-Khattab used to take down the old cover of Ka'bah, every year, cut it into pieces, and distribute them among the pilgrims who used them as shelter from the heat of Makkah.

Perfuming the Ka'bah

'Aishah said, "Perfume the Ka'bah, because this is a part of purifying it." Ibn Az-Zubair used to perfume the entire interior of the Ka'bah. He used to burn one pound of incense in the Ka'bah daily, but on Friday, he burnt two pounds of incense.

Prohibition of Profane Acts in *Haram*

Allah says in the Qur'an (22:25): "And any whose purpose therein is profanity or wrongdoing, them will We cause to taste of a most grievous penalty." Abu Daw'ud reported from Musa bin Badhan that he said, "I went to Ya'la bin Amayyah, who said, 'the Prophet (peace be upon him) said, "Hoarding food in the Sacred Mosque is committing an act of profanity." Bukhari in his *At-Tarikh Al-Kabir* reported from 'Umar that he said, "Hoarding food is a profane act."

Ahmad reported that Ibn 'Umar came to Ibn Az-Zubair who was sitting in Al-Hijr[6] and said, "O Ibn Az-Zubair! Be mindful of acts of profanity while in the Haram of Allah! I bear witness that I heard the Messenger of Allah (peace be upon him), saying, 'A man of Quraish shall violate its sanctity.'" The words of another report are "a man from the Quraish will commit acts of profanity in it. His sins will be equivalent to the sins of humans and Jinns combined, if weighed against them. Be mindful that you are not that man."

Mujahid said that good deeds multiply (many fold) in Makkah as do the sins. Ahmad was once asked, "Are the sins recorded more than once?" He replied, "No, except in Makkah because of the sanctity of that city."

Invasion of Ka'bah

Bukhari and Muslim reported from 'Aishah that the Prophet (peace be upon him) said, "An army will attack the Ka'bah. When they reach a desert they will all be caused to be swallowed up by the earth, to the last man." 'Aishah asked, "O Messenger of Allah, how is that, because among them there may be some pious and good people and others who are not with them?" The Prophet (peace be upon him) said, "They will all be swallowed up by the earth, but then they will be restored to life (on the Judgment Day) according to their intentions."

Traveling to Three Mosques

Sa'id bin Al-Musayyib reported from Abu Hurairah that the Prophet (peace be upon him) said, "You should not undertake a special journey to visit any place other than the three Mosques: the Sacred Mosque of Makkah,

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[6] The area attached to Ka'bah and also called Hijr Isma'il.

this mosque of mine, and Al-Aqsa Mosque (of Jerusalem)." This is reported by Bukhari, Muslim, and Abu Daw'ud. In another narration the words are "For three mosques a special journey may be undertaken: The Sacred Mosque (Ka'bah), my mosque, and the mosque of Al-Quds (Jerusalem)."

Abu Dharr reported that he asked the Prophet (peace be upon him), "O Prophet of Allah, which mosque was built first on earth?" The Prophet (peace be upon him) replied, "The Sacred Mosque of Makkah." Abu Dharr again asked, "Which was next?" The Prophet (peace be upon him) said, "The Al-Aqsa Mosque." "How long was the period between them?" Abu Dharr asked. The Prophet (peace be upon him) said, "Forty years. Apart from these, offer your prayers anywhere when it is time to pray, although excellence is in praying in these mosques."

Traveling to these three mosques is prescribed because of their special position in Islam. Jabir reported that the Prophet (peace be upon him) said, "One prayer in this mosque of mine is better than 1,000 prayers offered anywhere else except the Sacred Mosque, and one prayer in the Sacred Mosque is better than a hundred thousand prayers in any other mosque." This was reported by Ahmad with a sound chain of authorities.

Anas bin Malik reported that the Prophet (peace be upon him) said, "Whoever prays forty prayers consecutively in my mosque without missing any of the obligatory prayer, he will be removed from Hell, from punishment, and from hypocrisy." This was reported by Ahmad and At-Tabarani with a sound chain. We read in various ahadith that a prayer offered in the Al-Aqsa mosque is five hundred times superior (in reward) to one offered in any other mosque, except the Sacred Mosque and the Mosque of the Prophet (in Madinah).

Etiquette of Visiting the Prophet's Mosque and Grave

1) It is recommended that one should approach the Prophet's Mosque calmly and with composure. One should wear perfume, put on a nice clean dress and enter the mosque with the right foot, and say,

A'udhu billahil 'azeem wa bi-wajhihil kareem wa sultanihil qadeem minashaitanir rajeem. Bismillah, Allahumma salli 'ala Muhammadin wa aalihi wa sallam, Allahummaghfir li zunubi waftah li abwaba rahmatika.

أعوذ بالله العظيم ، وبوجهه الكريم ، وسلطانه القديم ، من الشيطان الرجيم. بسم الله ، اللهم صلي على محمد وآله وسلم ، اللهم اغفر لي ذنوبي ، وافتح لي أبوابَ رحمتك.

"I seek refuge with Allah, the Supreme, with His Noble Face, and with His Eternal Dominion from the accursed devil. In the Name of Allah, O Allah! Bless Mohammad, his family, and his followers. O Allah! Forgive my sins, and open doors of Your mercy for me."

2) It is also recommended to go first to the *raudah*[7] and offer there two rak'ahs as greetings to the Mosque with calm and humility.

3) After this one should head toward the grave of the Prophet (peace be upon him) face it, and with the back to the Qiblah, give greetings of peace to the Prophet (peace be upon him), saying:

Assalamu 'alaika ya rasulallah. Assalamu 'alaika ya nabiyallah. Assalamu 'alaika ya khiyrata khalqillah min khalqihi. Assalamu 'alaika ya khaira khalqillah. Assalamu 'alaika ya habiballah. Assalamu 'alaika ya sayyidil mursaleen. Assalamu 'alaika ya rasullallah rabal 'alameen. Assalamu 'alaika ya qa'idal ghirril muhajjaleen. Ash-hadu alla-ilaha illallah, wa ash-hadu annaka 'abduhu wa rasuluhu wa ameenuhu wa khiyratuhu min khalqihi, wa ash-hadu annaka qad ballaghtar rasalata wa addaital amanata wa nasahtal ummata wa jahdta fillahi haqa jihadihi.

السلام عليك يا رسول الله. السلام عليك يا نبي الله. السلام عليك يا خيرة خلق الله من خلقه. السلام عليك يا خير خلق الله. السلام عليك يا حبيب الله. السلام عليك يا سيد المرسلين. السلام عليك يا رسول الله رب العالمين. السلام عليك يا قائد الغرّ المحجّلين. أشهد أن لا إله إلا الله ، وأشهد أنك عبده ورسوله وأمينه وخيرته من خلقه. وأشهد أنك قد بلّغت الرسالة ، وأديت الأمانة ، ونصحت الأمة ، وجاهدت في الله حق جهاده.

"Peace be on you, O the Messenger of Allah. Peace be on you, O, the Prophet of Allah. Peace be on you, O, the chosen one of Allah's creation. Peace be on you, O, the beloved one of Allah. Peace be on you, O, the Chief of the Messengers of (Allah). Peace be on you, O, the Messenger of the Lord of the universe. Peace be on you, O, the Chief of the unique generation. I bear witness that there is no God but Allah, and I bear witness that you are His slave, messenger, trustee, and the chosen one of His creation. I bear witness that you indeed delivered the message (of Allah), discharged your trust, counseled the Muslim community, and strove hard for the cause of Allah."

4) Now moving about a yard to the right, the visitor should offer his greetings to Abu Baker As-Siddiq, and then moving further another yard in the same direction, offer greetings to 'Umar bin Al-Khattab.

5) Then facing the direction of Qiblah the visitor should supplicate for himself, his family, friends, relatives, and the rest of the Muslims, and then leave.

6) A visitor should not raise his voice more than needed to hear himself. The people in charge should prevent others from raising their voices gently

[7]According to a hadith *raudah* (literally, a garden) is the space in the Prophet's mosque between his grave and his pulpit. As is stated in the hadith below. The Prophet (peace be upon him) died in his house, and that is where he was buried.

and politely.

It is reported that 'Umar bin Al-Khattab saw two men raising their voices in the Mosque of the Prophet (peace be upon him). At this he told them, "Had I known that you are from this city, I would have punished you."

7) Avoid wiping hands on the chamber (i.e., the grave of the Prophet), or kissing it. The Prophet (peace be upon him) has forbidden all such things.

Abu Daw'ud reported from Abu Hurairah that the Prophet (peace be upon him) said, "Do not turn your houses into graves, nor make my grave a place of festivity. Send your greetings upon me, for your greetings are conveyed to me wherever you are." Abdullah bin Hasan saw a man frequenting the grave of the Prophet (peace be upon him) and making supplications there. Thereupon he told him, O, so and so, the Prophet (peace be upon him) has said, 'Do not make my grave a place of festivity, but send your greetings upon me from wherever you happen to be, for your greetings are conveyed to me.' (In this respect) there is no difference between you and a man from (a distant country like) Andalusia."

Excellence of Prayers in Raudah

Bukhari reported from Abu Hurairah that the Prophet (peace be upon him) said, "The space between my house and my pulpit is (*raudah*) one of the gardens of Paradise, and my pulpit is at my Fountain."

Offering Prayers in the Mosque of Quba

The Prophet (peace be upon him) used to go there, riding or on foot, every Saturday and offer a two rak'ah prayer. He advised others to do the same, saying, "Whoever makes ablutions at home and then goes and prays in the Mosque of Quba, he will have a reward like that of an 'Umrah." This was reported by Ahmad, Nasa'i, Ibn Majah, and Al-Hakim, who says it has a sound chain of narration.

Excellence of Madinah

Abu Hurairah reported that the Prophet (peace be upon him) said, "Verily, belief returns and comes back to Madinah as a snake returns and comes back to its hole (when in danger)."

At-Tabarani has reported from Abu Hurairah that the Prophet (peace be upon him) said, "Madinah is the dome of Islam, the abode of faith, the land of migration, and the dwelling place of what is lawful and unlawful."

'Umar reported that when things became very dear in Madinah and the people suffered hardship, the Prophet (peace be upon him) said (to the people), "Be patient (and of good cheer) and receive the happy news. I have blessed your measures, your *Sa'* and *Mudd*. So eat in groups together. One person's food shall be sufficient for two; two people's for five; and food for four people

shall be sufficient for five and six people. The blessings are upon the community. He who perseveres and is patient in its (i.e., of Madinah) times of hardship and difficulty, I shall be an intercessor and a witness for him on the Day of Judgement. And he who leaves it (i.e., Madinah) disliking what is therein (of hardships), Allah will replace him with someone better than him. Whoever intends evil against it, Allah will cause him to be dissolved (destroyed) like the salt is dissolved in water." This was reported by Bazzar with a sound chain of narration.

Excellence of Death in Madinah

At-Tabarani has reported with a sound chain of narration from a woman of Thaqif that the Prophet (peace be upon him) said, "He amongst you who is able to stay until death in Madinah must do so, as I shall be a witness or an intercessor for him on the Day of Judgement."

That is why 'Umar prayed to Allah to cause him to die in Madinah. Bukhari reported from Zaid bin Aslam, and he from his father that 'Umar said, "O Allah! Grant me martyrdom in Your cause, and cause me to die in the sanctuary of Your Prophet (peace be upon him)."

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